

You are requested to attend a meeting of the Licensing Committee to be held in The John Meikle Room, The Deane House, Belvedere Road, Taunton on 26 June 2012 at 18:15.

Agenda

- 1 Appointment of Chairman.
- 2 Appointment of Vice-Chairman.
- 3 Apologies.
- 4 Minutes of the meeting of the Licensing Committee held on 7 March 2012 (attached).
- 5 Public Question Time.
- 6 Declaration of Interests
To receive declarations of personal or prejudicial interests, in accordance with the Code of Conduct.
- 7 Proposed Hackney Carriage and Private Hire Vehicle Meter Testing Regime.
Report of the Licensing Officer (attached).
Reporting Officer: Olivia Denis
- 8 Licensing Update Report. Report of the Licensing Officer (attached).
Reporting Officer: Olivia Denis

Tonya Meers
Legal and Democratic Services Manager

13 December 2012

Members of the public are welcome to attend the meeting and listen to the discussions.

There is time set aside at the beginning of most meetings to allow the public to ask questions.

Speaking under “Public Question Time” is limited to 4 minutes per person in an overall period of 15 minutes. The Committee Administrator will keep a close watch on the time and the Chairman will be responsible for ensuring the time permitted does not overrun. The speaker will be allowed to address the Committee once only and will not be allowed to participate further in any debate.

If a member of the public wishes to address the Committee on any matter appearing on the agenda, the Chairman will normally permit this to occur when that item is reached and before the Councillors begin to debate the item.

This is more usual at meetings of the Council’s Planning Committee and details of the “rules” which apply at these meetings can be found in the leaflet “Having Your Say on Planning Applications”. A copy can be obtained free of charge from the Planning Reception Desk at The Deane House or by contacting the telephone number or e-mail address below.

If an item on the agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group.

These arrangements do not apply to exempt (confidential) items on the agenda where any members of the press or public present will be asked to leave the Committee Room.

Full Council, Executive, Committees and Task and Finish Review agendas, reports and minutes are available on our website: www.tauntondeane.gov.uk



Lift access to the John Meikle Room and the other Committee Rooms on the first floor of The Deane House, is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available off the landing directly outside the Committee Rooms.



An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.

For further information about the meeting, please contact the Corporate Support Unit on 01823 356414 or email r.bryant@tauntondeane.gov.uk

Licensing Committee Members:-

Councillor J Allgrove
Councillor A Beaven
Councillor S Brooks
Councillor S Coles
Councillor K Durdan
Councillor M Hill
Councillor J Hunt
Councillor L James
Councillor R Lees
Councillor S Lees
Councillor J Meikle, MBE
Councillor B Nottrodt
Councillor J Reed
Councillor B Swaine
Councillor E Waymouth

Licensing Committee – 7 March 2012

- Present Councillor Mrs Allgrove (Chairman)
 Councillor Coles (Vice-Chairman)
 Councillors Beaven, Mrs Hill, Hunt, Miss James, R Lees,
 Mrs Lees, Mrs Reed and Mrs Waymouth
- Officers: James Barrah (Community Services Manager, Ian Carter
 (Licensing Manager), Olivia Walton (Licensing Officer), John
 Rendell (Licensing Officer), Judith Jackson (Legal Services
 Manager) and Richard Bryant (Democratic Services Manager)
- Other: Councillor Hayward

(The meeting commenced at 6.15pm)

1. Apologies

Councillors Brooks, Miss Durdan, Meikle, Nottrodt and Swaine.

2. Minutes

The minutes of the meeting of the Licensing Committee held on 23 November 2011 were taken as read and were signed.

3. Public Question Time

Mr Mike Toon asked why Taunton Deane was still 'plagued' by private hire vehicles from other Districts? He felt that this was undercutting the local trade and should be stopped.

In response the Licensing Manager, Ian Carter, felt that much of the perceived problem appeared to relate to vehicles which were used in connection with contracts issued by Somerset County Council's Social Services Department. He undertook to find out more about how such contracts were issued..

5. Declarations of Interest

Councillor Mrs Waymouth declared a personal interest as a Member of Somerset County Council. Councillor Mrs Hill declared a personal interest as an employee of Somerset County Council. Councillor R Lees declared a personal interest as a regular user of taxis. The Chairman (Councillor Mrs Allgrove) declared a personal interest as the Vice-Chairman of the Somerset Association of Local Councils.

6. Testing Regime for Hackney Carriages

Considered report previously circulated, concerning the Hackney Carriage and Private Hire Vehicle Testing Regime within Taunton Deane.

The Department of Transport had stated within its Best Practice Guidance that the aim of local authority licensing of the taxi and private hire vehicle trades was to protect the public.

The Council therefore needed to be satisfied that the vehicles operating within its area were fit to do so through the use of the provisions within the Local Government (Miscellaneous Provisions) Act 1976. This gave Taunton Deane powers to require proprietors to present their vehicles for annual and occasional inspection and testing by, or on behalf of, the Council at such place within the area of the Council as they might reasonably require.

In order to make certain all vehicles met the high standards the Council considered necessary to ensure licensed vehicles were safe before a licence could be granted, a vehicle was required, in addition to meeting the legal requirements for a domestic vehicle, to pass the following tests:-

- Part I – this was a test which used the same criteria as an MOT test and was undertaken by the Council's nominated testing station;
- Part II - this was a test currently undertaken by the Council's nominated testing station that covered all the additional items that the Council had determined were required for licensing purposes, such as the physical condition of the vehicle, safety of wheelchair restraints, comfort and physical appearance of the vehicle; and
- The Meter test – to assess the legality and accuracy of taximeters fitted to vehicles. This was currently undertaken by Licensing Officers.

As permitted under the 1976 Act, the Council had a nominated testing station which undertook all Part I and Part II tests on behalf of the Licensing Service under the control of a Service Level Agreement. The nominated testing station was currently the Service and MOT Centre (formerly MJ Autos) who were appointed in 2007 following the cancellation of the service level agreement previously held with the.

Research of other Somerset Authorities had shown that they did not have a separate Part I test equivalent and that an MOT test from any approved Vehicle and Operator Services Agency (VOSA) testing station was accepted. However, they did all have nominated testing stations for the undertaking of the equivalent Part II testing of vehicles.

Noted that the Conditions for vehicle testing and Hackney Carriage and Private Hire Vehicle Test Criteria were last considered by this Committee when the Taxi Handbook was adopted in April 2009.

Following the receipt of a 39 signature petition a review of, and consultation on, the vehicle testing regime had been undertaken.

There had been a response rate of 18% to the consultation and overall there appeared to be support for the replacement of the Part I test with an MOT

issued by any VOSA approved testing station and to increase the number of Council Nominated testing Stations.

Part 1 test and MOT

Further reported that one of the Council's current requirements for any vehicle to be licensed as a Hackney Carriage or Private Hire Vehicle was that it should hold a valid MOT (if the vehicle was over one year old) and had passed the Council's Part I test undertaken by the Council's nominated testing station.

The Part I test was in practice carried out at the same time as the MOT inspection and the MOT Certificate from the nominated testing station took the place of the Part I compliance certificate. Vehicle proprietors could obtain an MOT certificate from elsewhere and then a Part I compliance certificate from the nominated testing station but in reality this would not make financial sense.

Submitted details of the following options with regard to the Part I test and the MOT:-

- **Option 1.** The current position to remain unchanged.

However the retention of the Part I test could be seen to be unnecessarily duplicating the MOT test and it could be suggested that the Council was not allowing proprietors choice in where an MOT was undertaken.

- **Option 2.** The Part I test was replaced by an MOT issued by any VOSA approved testing station, this could include the nominated testing station which would then be able to offer to undertake the MOT and Part II test as a package deal.

This option would allow vehicle proprietors the freedom to choose where an MOT was undertaken and would remove the duplication of testing criteria that existed at present with the Part I test.

An additional matter that would need to be considered with this option was the question of acceptability of MOT certificates from testing stations that had an identifiable relationship with the vehicle proprietor. If public scrutiny of a relationship between a vehicle proprietor and the operator/owner of a testing station through personal or commercial links raised reasonable doubt as to a conflict of interests, then it was proposed that Licensing should refuse to accept the certificate.

- **Option 3.** The Part I test was replaced by an MOT issued by a Council nominated testing station.

This option removed the duplication of the MOT and Part 1 tests that currently existed and might offer an opportunity for savings to

proprietors through the nominated testing stations undertaking both MOT and Part II tests.

Noted that under all three options vehicles would still require to achieve compliance with the Council's Part II test which would be undertaken at the nominated testing station.

Part II test

In addition to the Part I test the Council required a further set of test criteria, the Part II test, to be applied to vehicles before a Hackney Carriage or Private Hire Vehicle Licence could be issued.

The matters to be examined required a judgement which included safety and suitable mechanical condition and the Council therefore required the test to be undertaken by a suitably qualified vehicle mechanic. For reasons of consistency and customer service, the Council further required that the test was undertaken by the nominated testing station.

Because of the nature of the matters to be inspected, it was not considered appropriate for the test to be undertaken by Licensing Officers who did not have the necessary knowledge or skills base.

Nomination of Testing Station(s)

Reported that the Council maintained a nominated testing station for reasons of control and customer support. The legislation further required that the testing station should be located within the administrative area of the Council.

The Council's current nominated testing station had provided an exemplary level of service since first entering the Service Level Agreement in 2007 and through that time expressions of support and very few formal complaints had been received by the Licensing Team regarding the service that had been provided to the trade.

With regard to Testing Station provision, the following options had been identified through the review process:-

- **Option 1.** Retain the current position – the Service and MOT Centre Taunton would remain as the Council's sole nominated testing station.
- **Option 2.** Increase the number of nominated testing stations.

If spread across the district, this could offer advantages to those vehicle proprietors who did not live within Taunton. It might also offer savings to the trade through the pricing structures of individual testing stations. From the Council's perspective the appointment of at least one additional testing station would provide for continuity of service if one testing station was unable to operate for a period of time.

Before Councillors discussed the contents of the report, the Chairman invited Mr Andy Woodford to make his detailed representations about the Testing Regime for Hackney Carriages and Private Hire Vehicles to the Committee.

He reported that the trade favoured a fourth option whereby the Part I test was replaced by an MOT from any MOT garage and that the Part II test was carried out by Licensing Officers.

During the discussion of this item Councillors considered the merits of the various options presented to them. Option 1 and 2 relating to the Part I test were not accepted. Option 3 was however accepted together with the proposal that at least one further testing station was identified in the Taunton Deane area.

Resolved that:-

- (1) Option 3 - The Part I test to be replaced by an MOT issued by a Council nominated testing station – be approved;
- (2) The requirement for the Part II test to be undertaken by a suitably qualified vehicle mechanic at a nominated testing station, be retained;
- (3) Authority be delegated to the Licensing Manager, in consultation with the Chairman of the Committee, to ascertain the suitability of interested businesses with a view to appointing at least one additional nominated testing station; and
- (4) Priority be given to appointing a nominated testing station located outside of Taunton but within the Council's administrative area.

7. Application procedure for licensing of brand new vehicles as Hackney Carriages or for Private Hire

Reported that the Licensing Team had introduced a service guarantee in April 2011, whereby all licences would be issued within a maximum of 14 days, upon receipt of a full application.

In practice licences were issued within 7 to 10 days but during busy periods, such as the run up to Christmas, could take the full 14 days.

Where licences for Hackney Carriage and Private Hire vehicles were concerned, a full application consisted of:-

- Completed application form;
- Valid insurance certificate or insurance cover note;
- V5 logbook or bill of sale;
- Payment of full licence fee (and meter test fee where appropriate);
- Part I and Part II vehicle compliance test certificate or MOT and the Part II compliance test certificate, carried out at the Service Centre, Taunton.

A brand new vehicle was defined as one that had delivery mileage only and where the applicant was the first registered keeper.

Further reported that the team had received a request from the trade, that a procedure be introduced to speed up the process for the licensing of brand new vehicles.

Working with the trade, a procedure had been created whereby an application would, in future, be made 14 days before the vehicle underwent the compliance tests. This would allow the Licensing Team to prepare the necessary licence, ready for issue upon receipt of proof of compliance with the vehicle tests and the vehicle having completed a satisfactory meter test (if appropriate).

The system had been in place on a trial basis since December last year and had operated without incident.

Resolved that the inclusion of the new vehicle procedure as set within the report in the Hackney Carriage and Private Hire Drivers, Vehicles and Operators Handbook be approved.

8. Licensing Update Report

Considered report previously circulated, concerning the activities of the Licensing Service under the Licensing Act 2003, Gambling Act 2005 and Taxi Legislation, together with other general licensing matters.

The number of premises licences granted during the period from November 2011 to January 2012 was up compared to the same period last year. There had been a decrease of applications received for the variation of a premises licence and change of Designated Premises Supervisor but a slight increase in applications for transfer of premises licence, minor variations, granting of personal licences and Temporary Event Notices.

A Home Office consultation had been launched during January 2012 which sought views on two measures in the Police Reform and Social Responsibility Act 2011 that would be implemented through regulations - Early Morning Restriction Orders (EMROs) and the late night levy.

This would allow local authorities to charge a levy for late-night licences to contribute to the cost of extra policing and extend EMROs, a power that would allow licensing authorities to restrict the sale of alcohol in all or part of their areas, to any time between midnight and 6am. The consultation would close on 10 April 2012.

It was likely that some schemes such as Business Improvement Districts (BID) might fulfil the purpose of the levy, by raising contributions towards late night services, without the need for local authority intervention. It was therefore proposed that licensing authorities should be able to grant an exemption to those paying a levy as part of a BID.

A response to this consultation would be made through the Somerset Licensing Group and the Institute of Licensing.

The Order detailing the extension of licensing hours for the Queen's Diamond Jubilee had been approved. The Order relaxed licensing hours on two consecutive days during the period of the Jubilee celebrations.

Operators hoping to make the most of the Diamond Jubilee celebrations were being encouraged to consider the use of a Temporary Event Notice (TEN) to provide entertainment which was not already covered by their existing premises licence.

Further reported that there had been an increase in the number of Gambling Act 2005 Permits, Registrations and Licences held with Taunton Deane from two in the period of November 2010 to January 2011 to six in November 2011 to January 2012. However, application numbers still remained low.

A decrease in the number of Hackney Carriage and Private Hire Vehicle grants, transfers and renewals and Private Hire Operators compared to the same period in 2010/2011 was reported.

A fifth meeting of the Taxi Forum had been held on 15 February 2012 and various topics had been discussed.

Enquiries into positions available in the High Street for Street Trading remain high.

The Licensing Team together with Economic Development were working closely together to look at new areas for trading and markets such as Castle Green, Somerset Square and Goodlands Gardens and the ability to offer goods other than hot food and drink.

The number of animal boarding licences had increased with the addition of a new cattery in the area.

The total number of licences, consents, registrations and permits issued at the end of the last quarter showed a significant increase in the number of House to House Collections and Street Collections in Taunton Deane during November and December 2011 compared to the same period in 2010.

Before Councillors discussed the contents of the report, the Chairman invited Mr Martin Jones to make his representations about the Taxi Forum which was felt to be a waste of time, for the reasons he set out.

During the discussion of this item, Members made the following comments and asked questions. Responses are shown in italics:

- Was it time to stop issuing licences to face to face fundraisers? *There was currently nothing that could be done to stop "direct debit charity*

collectors” as they did not need a licence to operate. If complaints were received from members of the public about these types of fundraisers, these were taken up directly with the organisers. There was a national move towards Councils being granted powers to control face to face fundraising although some Councils appeared to have found a way to do so already, notably in Bradford. This would be investigated.

- With regard to street trading, was liaison taking place between the Licensing Team and Project Taunton to ensure the look of Taunton’s streets was not being compromised? *Yes, such discussions were taking place.*

Resolved that the report be noted.

(The meeting ended at 7.55 pm)

Taunton Deane Borough Council

Licensing Committee – 26 June 2012

Proposed Hackney Carriage and Private Hire Vehicle Meter Testing Regime

Report of the Licensing Officer

(This matter is the responsibility of Executive Councillor Ken Hayward)

1. Executive Summary

Members are asked to consider the Hackney Carriage and Private Hire Vehicle Meter Testing Regime within Taunton Deane and the recommendations set out at section 11 of the report.
--

2. Background

- 2.1 Discussions with the Taunton Taxi trade surrounding the need to carry out meter tests on licensed Hackney Carriages/Private Hire Vehicles have prompted a review of the current regime in respect of the requirement to test and the frequency of testing meters.

3. Report

- 3.1 Currently before a grant or renewal of a Hackney Carriage or Private Hire Vehicle Licence can be issued, a mutually convenient time between a Licensing Officer and the vehicle proprietor must be found to allow for the testing of the taxi meter to ensure it has been calibrated to a rate that does not exceed the Council's maximum tariff.

- 3.2 There are two different methods of testing the calibration of taxi meters.

Method 1

- 3.3 The Licensing Officers have received training in interrogating the following makes of meters Cygnus MR320, MR350, MR400 and MR500, by pressing different variations of the 'Select' and 'Extra' buttons on the meter.

Method 2

- 3.4 A Licensing Officer will accompany the driver of the vehicle along a measured route. The measured route begins at Canal Road and continues along Priory Bridge Road to the Shell Garage. Points are

- marked along the route at the first 500 yards and then at each completed 160 yards. When the vehicle passes these points (and not before) the meter should increase the fare in accordance with the current tariff structure. The meter test ends at the Council Offices on Belvedere Road with a timing of the meter to ensure the waiting time charges do not exceed the current tariff either. Through out the year the route is checked by Licensing Officers and markings that have faded are refreshed.
- 3.5 Once the calibration of the meter has been checked and approved they are also checked to ensure that, all seals are intact, the meter can clearly be seen by passengers and that the meter serial number matches the number printed on the meter and the number shown though interrogation.
- 3.6 A meter test is pre-arranged with the vehicle owner on a day and time that is mutually convenient with the Licensing Officer who has to arrange to carry out the test between other licensing duties and vehicle owner who has to ensure the testing time does not interfere with school runs and pre-arranged bookings. Problems with finding a convenient time to undertake the meter test can delay the issuing of the licence.
- 3.7 It is the opinion of the Licensing Officers that when they pre-arrange meter tests the meters are more likely to be correct at this point then at any other time during the year.
- 3.8 It is therefore proposed that a program of random unannounced checks on the calibration of meters should be introduced in place of the current pre-arranged system of checks.

4. Finance Comments

- 4.1 Currently, there is no charge for a meter to be tested upon renewal of a Hackney Carriage/Private Hire Vehicle Licence. Charges are applied only for the testing of a meter on a grant application or if the owner changes the meter tariff during the period of the licence prior to renewal, the current fee for this is £22.18.
- 4.2 The cessation of the meter test will reduce the financial burden upon the taxi trade and reduce the time taken to issue a new licence.
- 4.3 If the recommended changes are approved by the Committee the fee for undertaking a meter test will only be charged if a meter is found to be incorrect through the proposed compliance checks.

5. Legal Comments

- 5.1 Measuring Instruments (Taximeters) Regulations 2006, Section 19 Powers of entry and inspection states that 'an enforcement officer may for the purpose of these Regulations, at all reasonable times; a) inspect and test any taximeter in such a manor as he considers appropriate, b) inspect and

take copies of any documentation relating to a taximeter and c) enter any premises at which he has reasonable cause to believe there to be a taximeter, not being premises used only as a private dwelling house. An enforcement officer may, at any time, seize and detail a) a taximeter which he has reasonable cause to believe is liable to be forfeited under these regulations; and b) any document or goods which he has reason to believe may be required as evidence in proceedings for an offence under these Regulations.

5.2 The Act does prescribe the intervals at which tests should be carried out.

6. Links to Corporate Aims

6.1 No links to specific corporate aims. However if the Licensing function were not carried out in an efficient manner, complaints or legal challenges may be brought that could undermine the work being done to support the Council's Corporate Strategy.

7. Environmental and Community Safety Implications

7.1 If the Committee resolve to adopt this measure the Officers are satisfied that our taxi trade will continue to operate within the correct tariff. We receive very low numbers of complaints from members of the public being over charged and in within the majority of overcharging claims it is determined that the correct fee has been charged.

8. Equalities Impact

No adverse impacts on any of the recognised equality strains have been identified.

9. Risk Management

Not required.

10. Partnership Implications (if any)

None identified.

11. Recommendations

11.1 That Members approve the removal of the requirement for meter tests to be undertaken at renewal and or grant of a vehicle licence as a matter of course.

11.2 That Members approve the implementation of a new procedure where random meter tests are carried out through the year to ensure meters are correct.

11.3 That Members approve the amendment of the Hackney Carriage and Private Hire Drivers, Vehicles and Operators Handbook to reflect the above changes.

Contact: Olivia Walton
Licensing Officer
Tel: 01823 356343
E-mail: o.walton@tauntondeane.gov.uk

Taunton Deane Borough Council

Licensing Committee – 26 June 2012

Licensing Update Report

Report of the Licensing Officer

(This matter is the responsibility of Executive Councillor Ken Hayward)

1. Executive Summary

The report provides an update on the activities of the Licensing Service under the Licensing Act 2003, Gambling Act 2005 and Taxi Legislation together with other general licensing matters.

2. Background

- 2.1 This report is produced to keep the Council's statutory committee up to date with current arrangements and statistics relating to the Licensing Service.

3. Report

Licensing Act 2003

The number of premise licences granted during the period from February 2012 to April 2012 was up compared to the number of licences granted in the same period during 2011. There was a slight decrease in the number of Temporary Event Notices during March 2012 compared with last year this is most likely linked to the Royal Wedding which happened in April 2011. The number of Temporary Event Notices for April 2012 were slightly increased compared to April 2011 this is again most likely linked to the Queens Diamond Jubilee Celebrations taking place in June 2012. The total numbers of licences issued and notices given up to the end of April 2012 are set out in **Appendix 1**.

Gambling Act 2005

There was a decrease in the number of Permits, Registrations, Occasional Use Notices and Licences held with Taunton Deane from seven in the period of February to April 2011 to two in the period from February to April 2012. The total numbers of Permits, Registrations and Licences issued from February 2012 to the end of April 2012 are set out in **Appendix 2**.

Taxis

The number of Hackney Carriages & Private Hire Drivers licensed and renewed slightly increased in the period from February to April 2012 compared to the same period in 2011. Overall there was an increase in the number of Hackney Carriage and Private Hire Vehicle grants, transfers and renewals and Private Hire Operators numbers remained static compared to the same period in 2011. The total numbers of Licences issued and applications received up to the end of April 2012 are set out in **Appendix 3**.

Taxi Forum

The 6th Taxi Forum was held on 19 June 2012. Membership of the Forum is made up of representatives from licensed drivers and operators put forward by the trade themselves, Licensing Officers and members of the Licensing Committee.

The Licensing Team would be happy to send notes of the meeting, when published, to any members who would like to see them.

A verbal report of topics discussed and the actions taken since the last Forum will be presented to the Committee.

Street Trading & Pavement Cafes

Enquiries into positions available in the High Street for Street Trading remain high. The total number of permits and licences issued up to the end of April 2012 are set out in **Appendix 4**.

The Licensing Team together with Economic Development, Project Taunton and Taunton Tourist Information Centre are working closely together to generate new areas for markets and street trading in Castle Green, Somerset Square and Goodlands Gardens. A meeting was held on 24 May 2012 with Taunton Farmers Market where we discussed the market trading in Somerset Square on a Saturday as well as continuing to trade in the High Street on Thursday. It is hoped that this will begin in July 2012. Blackdown Hills Market is also interested in holding a market in this area promoting local artisans.

Animal Welfare Licensing

The number of animal boarding (cats and dogs) has remained the same since the same period in 2011. The total numbers of licences consents and permits issued up to the end of April 2012 are set out in **Appendix 5**.

Other Licensing

The total number of licences, consents, registrations and permits issued at the end of the last quarter are set out in **Appendix 6**. These figures show an increase in the number of House to House Collections and Street Collections in the Borough significantly for Street Collections during February 2012 compared to the same period in 2011. As members will be aware there are no fees issued for these.

Jubilee Weekend

The Licensing Team carried out monitoring together with Cllr Kelly Durdan over the Jubilee Bank Holiday Weekend at Taunton Racecourse for Cosmo Festival, Somerset County Cricket Club for Elton John and also included visits to Taunton Taxi Ranks, Late Night Refreshment Premises in Taunton and Wellington and Street Trading in Taunton. A verbal update will be given at the Committee.

4. Finance Comments

None

5. Legal Comments

The legal implications are set out within the report.

6. Links to Corporate Aims

As an update report there are no links to specific corporate aims. However if the Licensing function were not carried out in an efficient manner, complaints or legal challenges may be brought that could undermine the work being done to support the Council's Corporate Strategy.

7. Environmental and Community Safety Implications

None identified.

8. Equalities Impact

Not required.

9. Risk Management

No risk identified.

10. Partnership Implications (if any)

None identified.

11. Recommendations

That the report be noted.

Contact: Olivia Walton
Licensing Officer

Tel: 01823 356343

E-mail: o.walton@tauntondeane.gov.uk

Licensing Act 2003

Licences Issued and Notices Given

	2011	2012
Premises Licences	384	397
Club Premises Certificates	29	29
Personal Licences	968	642
Temporary Event Notices	1664	1994

Applications Received and Notices Given

	February		March		April	
	2011	2012	2011	2012	2011	2012
Grant of a Premises Licence	2	4	1	6	3	2
Variation of a Premises Licence	1	1	1	6	2	1
Transfer of a Premises Licence	4	5	3	1	3	5
Change of Designated Premises Supervisor	9	6	3	9	7	11
Minor Variations	0	0	3	2	0	0
Grant of a Personal Licence	2	3	8	4	7	8
Temporary Event Notices given	21	24	32	19	33	35

Gambling Act 2005

Licences Issued and Notices Given

	2011	2012
Club Machine Permit	8	8
Licensed Premises Gaming Machine Permits	5	7
Occasional Use Notices	13	19
Premises Licences	16	17
Prize Gaming Permits	0	0
Society Lotteries	190	190
Temporary Use Notices	0	0
Unlicensed Family Entertainment Centres	2	4
Notification of 2 or less Gaming Machines	60	60

Applications Received and Notices Given

	February		March		April	
	2011	2012	2011	2012	2011	2012
Applications for a Permit	0	0	0	0	0	0
Application for a Licence	1	0	0	0	0	0
Notification of Intent to have Gaming Machines	0	0	1	0	0	0
Occasional Use Notice	3	1	1	1	1	0

Taxis

Licences Issued

	2011	2012
Hackney Carriages	167	159
Private Hire Vehicles	30	30
Hackney Carriage & Private Hire Drivers	239	253
Private Hire Operators	27	29

Applications Received

	February		March		April	
	2011	2012	2011	2012	2011	2012
Hackney Carriage Licence (including renewals, transfers and vehicle changes)	25	20	8	13	21	19
Hackney Carriage & Private Hire Drivers Licence (including renewals)	15	18	26	24	7	18
Private Hire Vehicle Licence	2	3	4	4	1	2
Private Hire Operator Licence	1	0	0	1	2	1

Street Trading

Consents & Permits Issued

	2011	2012
Street Trading Consents	50	53
Pavement Café Permits	16	15

Applications Received

	February		March		April	
	2011	2012	2011	2012	2011	2012
New Consents	2	1	3	2	7	4

Animal Licensing

Licences Issued

	2011	2012
Zoo Licences	0	0
Pet Shop Licences	13	14
Dog Breeding Licence	2	2
Animal Boarding Licence	12	13
Riding Establishment Licences	8	10
Dangerous Wild Animal Licences	2	2

Applications Received

	February		March		April	
	2011	2012	2011	2012	2011	2012
Zoo Licences (including renewals)	0	0	0	0	0	0
Pet Shop Licences (including renewals)	0	0	0	0	1	0
Dog Breeding Licence (including renewals)	0	0	0	0	0	0
Animal Boarding Licence (including renewals)	1	0	0	0	0	0
Riding Establishment Licences (including renewals)	0	0	1	0	0	0
Dangerous Wild Animal Licences	0	0	0	0	0	0

Other Licensing

Licences, Registrations and Permits Issued

	2011	2012
Caravan Site Licences	42	42
House to House Collection Permit	78	93
Motor Salvage Operator	4	4
Scrap Metal Dealer Registration	13	17
Sex Shop Licences	2	2
Skin Piercing Registrations	175	181
Street Collection Permits	229	253

13

Applications Received

	February		March		April	
	2011	2012	2011	2012	2011	2012
Caravan Site Licences	0	0	0	0	0	0
House to House Collection Permit	0	3	3	4	3	3
Motor Salvage Operator	0	0	1	0	0	0
Scrap Metal Dealer Registration	0	2	1	0	1	0
Sex Shop Licences	0	0	0	0	0	0
Skin Piercing Registrations	1	0	7	1	1	2
Street Collection Permits	3	10	23	7	2	2

Licensing Committee – 26 June 2012

Present: Councillor Mrs Allgrove (Chairman)
Councillor Coles (Vice-Chairman)
Councillors Beaven, Miss Durdan, Mrs Hill, Hunt, Ms James, R Lees, Mrs Lees,
Meikle, Nottrodt, Mrs Reed, Swaine and Mrs Waymouth

Officers: Olivia Walton (Licensing Officer), Ian Carter (Licensing Manager), John
Rendell (Licensing Officer), Judith Jackson (Legal Services Manager) and
Emma Hill (Corporate Support Officer)

Also present: Councillor A Wedderkopp
Councillors Davies, Grierson, Hadley, Lillis, May, Saunders and Westcott
from West Somerset District Council
Mr. M. Davis from A1/Ace Taxis

(The meeting commenced at 6.15 pm)

1. Appointment of Chairman

Resolved that Councillor Mrs Allgrove be appointed Chairman of the Licensing Committee for the remainder of the Municipal Year.

2. Appointment of Vice-Chairman

Resolved that Councillor Coles be appointed Vice-Chairman of the Licensing Committee for the remainder of the Municipal Year.

3. Apology

Councillors Brooks

4. Minutes

The minutes of the meeting of the Licensing Committee held on 7 March 2012 were taken as read and were signed.

5. Public Question Time

Mr Mike Davis from A1/ACE stated that the trade was becoming increasingly frustrated with the failure of the Licensing Department to recognise the legitimate concerns of the Taxi trade. These were: -

- The decline in accepted standards of drivers;
- The profiteering by the Council through unsubstantiated charges; and
- The continuing limitation of competition with regard to MOT's

For two years, the trade had sought to meet and discuss these issues with the Licensing Manager. The frustrations as to the way the trade had been treated had been highlighted in writing and to this Committee.

The Licensing Manager would only discuss issues at the Taxi Forum, which was time limited and was not a minuted or accountable meeting.

It was with regret that action was now going to have to be pursued that would ultimately cost the Council time and money, as well as potentially adverse publicity.

The Chairman thanked Mr Davis for his comments which would be noted.

6. Declarations of Interest

The Chairman (Councillor Mrs Allgrove) declared a personal interest as the Vice-Chairman of the Somerset Association of Local Councils. Councillor Mrs Waymouth declared a personal interest as a Member of Somerset County Council. Councillor Mrs Hill declared a personal interest as an employee of Somerset County Council. Councillor R Lees declared a personal interest as a regular user of taxis. Councillor B Nottrodt declared a personal interest as a director of Southwest One.

7. Proposed Hackney Carriage and Private Hire Vehicle Meter Testing Regime.

Considered report previously circulated, concerning the New Hackney Carriage and Private Hire Vehicle Meter Testing Regime within Taunton Deane.

Discussions with the Taunton Taxi trade surrounding the need to carry out meter tests on licensed Hackney Carriages/Private Hire Vehicles had prompted a review of the current regime.

Currently before a new Hackney Carriage or Private Hire Vehicle Licence could be issued or renewed, a mutually convenient time between a Licensing Officer and the vehicle proprietor had to be found to allow for the testing of the taxi meter. At the moment there were two different methods of testing the calibration of taxi meters, details of which were reported.

It was the opinion of the Licensing Officers that when they pre-arranged meter tests the meters were more likely to be correct at this point. It was therefore proposed that a programme of random unannounced checks on the calibration of meters should be introduced instead.

Currently, there was no charge for a meter to be tested upon renewal of a Hackney Carriage/Private Hire Vehicle Licence. Charges were applied only for the testing of a meter on a grant application or if the owner changed the meter tariff during the period of the licence prior to renewal.

The cessation of the meter test would reduce the financial burden upon the taxi trade and reduce the time taken to issue a new licence.

It was recommended that if the proposed changes were approved, a fee for undertaking a meter test would only be charged if a meter was found to be incorrect through the proposed compliance checks.

Resolved that: -

- 1) The removal of the requirement for meter tests to be undertaken at renewal and/or on the grant of a vehicle licence as a matter of course be approved; and
- 2) The implementation of a new procedure where random meter tests were carried out through the year to ensure meters were correct be also approved.

8. Licensing Update Report

Considered report previously circulated, concerning the activities of the Licensing Service under the Licensing Act 2003, Gambling Act 2005 and Taxi Legislation together with other general licensing matters.

Although there had been an increase in Premises Licenses and Temporary Event Notices in recent months, there had been little change in the number of Club Premises Certificates within Taunton Deane. There has been a downward trend in the number of Personal Licenses.

It was further reported that there had been no significant change or increase in the number of Gambling Act 2005 permits. The number of Permits, Registrations and Licences held in Taunton Deane remained low.

The licensed Taxi fleet within Taunton Deane had shown a small increase in renewals in the early part of 2012, where as the number of Private Hire Operations had remained static.

The sixth Taxi Forum was held on 19 June 2012. Membership of the Forum was made up of representatives from licensed drivers and operators, Licensing Officers and Members of the Licensing Committee.

Enquiries into positions available in the High Street for Street Trading remained high but the number of new Consents had decreased in the early part of 2012.

Reported that the number of Animal Welfare licences held within Taunton Deane had remained the same. Details of the total number that had been issued were reported.

The total number of licences, consents, registrations and permits issued at the end of the last quarter showed an increase in the number of House to House Collections and Street Collections in Taunton Deane.

The Licensing Team, together with Councillor Miss Durdan, had carried out monitoring over the Jubilee Bank Holiday Weekend at Taunton Racecourse for the Cosmo Festival, Somerset County Cricket Club for Elton John and also included visits to Taunton Taxi Ranks, late night refreshment premises in Taunton and Wellington and street trading in Taunton.

During the discussion of this item, Members made comments and statements and asked questions which included: - (Responses are shown in italics)

- The Chairman thanked the Licensing Team and Councillor Miss Durdan for their work at the Cosmos Festival. Committee Members were pleased with how the event had gone.

Although the number of complaints had increased between the first and second years, the department had put in place a set of conditions as well as a de-brief after the festival, which had helped largely to improve the situation every year. The main concern of local residents was the level of the bass.

- What was the feedback in relation to the noise levels this year from the Cosmos Festival?

The feedback in relation to the noise levels was very positive. Also there were no reported problems relating to Taxis.

- What sort of notification system did we have regarding the owning of dangerous animals?

The notification surrounding dangerous animals was covered by the licence issued in connection with the trade of the animal not in relation to the ownership. The Council relied on the relationship it had with existing licensees for information surrounding any illegal trade in the breeding and sale of dangerous animals.

Resolved that the report be noted.

(The meeting ended at 7:05 pm)