

Licensing Committee – 21 March 2018

Present: Councillor Miss Durdan (Chairman)
Councillors James, Brown, Davies, Gage, Mrs Hill, and Nicholls.

Officers: John Rendell (Licensing Manager) and Clare Rendell (Democratic Services Officer).

Other: Councillor Berry.

(The meeting commenced at 6.15 pm)

30. Apologies

Apologies were received from Councillors Mrs Lees, Mrs Blatchford and Hunt.

31. Minutes

The minutes of the meeting of the Licensing Committee held on 15 November 2017 were taken as read and were signed.

32. Licensing Service Update Report

Considered report previously circulated, which provided an update on the activities of The Council's Licensing Service, changes to legislation, current consultations and other general Licensing matters.

A summary of the activity and performance of the Licensing Service since the last meeting of the Committee was set out:-

- The performance of the Licensing Service was measured against the number of applications that were completed within 14 days of them being determined. The target was 95%.
- This target had been reached between 1 October and 31 December 2017.
- Members were provided with a comparison of the number of applications received between October and December 2017 for the preceding two years and a summary of the numbers of the licences in force and notices given as at 1 February 2018.
- The numbers of service requests received by the service between October and December 2017, compared with the previous two years were also reported.
- 31 service requests had been received and there were 9 service requests where enquiries were ongoing or a conclusion had not been reached.

The Licensing Manager had returned from supporting the Accommodation Team and a period of paternity leave, which had brought to an end the temporary management arrangements described in the last Licensing Committee update report.

Each Licensing Authority was required by the Licensing Act 2003 to publish a statement of licensing policy, in which it set out the approach it intended to take when licensing decisions were made on alcohol, entertainment and late night refreshment licences. The policy must be reviewed every five years.

A revision of Taunton Deane Borough Council's statement of policy was last reviewed in 2013, so was now overdue.

The Licensing Manager had not proposed to make any radical changes to the current document, apart from the introduction of a cumulative impact policy and an explanation of the procedure that the Licensing Authority followed when a Licensing Sub-Committee was required.

HM Revenues and Customs (HMRC) had consulted on proposed changes to certain licensing regimes in order to tackle the hidden economy.

The proposals would make compliance with certain tax obligations a condition of holding certain licences and introduce checks on applicants' tax-registration status as part of licensing processes.

Officers had been in discussion with HMRC on this topic for some time, with a particular focus towards taxi driver licences. These discussions resulted in a change to the Council's taxi licensing policy.

The Institute of Licensing had consulted its members in relation to draft guidance it has produced on determining the suitability of applicants and licensees in the taxi and private hire trade.

Produced in partnership with the Local Government Association, National Association of Licensing and Enforcement Officers and lawyers in Local Government, the document was intended to provide guidance on determining the suitability of applicants, taking into account the character of the applicant or licensee and would be available for use by local authorities for their own policies.

Officers were supporting the proposals and intended to incorporate the guidance into the policy document, the Private Hire and Hackney Carriage Drivers, Vehicles and Operators Handbook, more commonly known as the Taxi Handbook.

A Private Member's Bill that sought to introduce new rules to improve taxi safeguarding procedures had been published.

The Licensing of Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Bill, proposed by Daniel Zeichner MP, had its first reading on 19 July 2017. The Bill sought to put a statutory duty on Licensing Authorities to share information about licences they had revoked, refused or suspended on a register and to check the register in respect of every new and renewal application.

Members of the Licensing Team were often asked why applications for licences and permits could not be issued on the day they were received and why they had a performance target of two weeks. This was because the Team must balance the demands of other duties within the department.

In order to provide an overview of the work the service carried out, in particular day to day functions, the Licensing Manager had created the Licensing Service Work Plan. The Licensing Manager would be working with the Team to prioritise the tasks and incorporate them into a workload.

During the discussion of this item, the following points were raised:-

- Concern was raised on what was deemed appropriate behaviour for taxi drivers when they dealt with difficult customers.
The Licensing Manager wanted to have some guidance rules set in place for taxi drivers to use that would allow for some flexibility. His aim was to have a set of behaviours that mirrored the behaviour framework used in the Transformation Project.
- The Chairman queried what the timeline was for the work.
The Licensing Officer was working on the taxi policies and the work should be completed by September 2018. The Licensing Manager was keen to introduce a practical driving test in Taunton Deane which was already used in West Somerset. He also wanted to add a geographical and numeracy section to the test.
- Members recommended tests that were used within other areas and requested that drivers achieved a minimum standard.
- The Chairman queried whether the Taxi Handbook was due to be reviewed. There had been an issue at a Sub-Committee that related to penalty points earned through speeding which the Taxi Handbook was not clear on.
There were lots of sections within the Handbook that required an update. Many of the sections were listed in the Licensing Service Work Plan and included the 'fit and proper' test and the medical test.
- Members queried whether there was a policy in place that required drivers to notify the Licensing Department of any medical problems, for example seizures.
The initial medical should flag up any issues. However, currently, whether the driver was an insulin dependent diabetic was the only seizure related question that was flagged up on the test.
- Concern was raised that taxi drivers would not report medical issues when they arose.
- Members requested an update on the street trading consent scheme operated by the Business Development Team in Taunton town centre.
The scheme was going well. The Licensing Manager had regular meetings with the Business Development Team, so had developed a good working relationship with the team.
- Concern was raised about the change in location planned for the market held in the High Street. Members were concerned that if the market was held in Castle Green, traders would lose business.
The Business Development Team were trying to encourage trade within the Castle Green area and did not foresee a drop in trade for the market. The Licensing Manager would invite the Business Development Team to attend the next Licensing Committee meeting to update Members on the scheme.
- Members queried how much work was involved in the creation of the joint licensing policies.
Both the Chairman from Taunton Deane and West Somerset were keen to align the policies, so there shouldn't be too much work involved. When a policy was due to be reviewed, the officers ensured that the two policies were aligned.

Resolved that the report be noted.

(The meeting ended at 7.06pm)