

Licensing Committee – 6 June 2018

Present: Councillor Miss Durdan (Chairman)
Councillors Blatchford, Davies, Hill, Hunt, James, Morrell and Nicholls.

Officers: John Rendell (Licensing Manager), Leigh-ann Fumagalli (Licensing Officer),
Fern Avis (Licensing Officer) and Clare Rendell (Democratic Services Officer).

Other: Councillor Berry.

(The meeting commenced at 6.15 pm)

1. Appointment of Chair

Resolved that Councillor Miss Durdan be appointed Chairman of the Licensing Committee for the remainder of the Municipal Year.

2. Appointment of Vice-Chair

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

3. Apologies

An apology was received from Councillor Mrs Lees.

4. Minutes

The minutes of the meeting of the Licensing Committee held on 22 February 2018 were taken as read and were signed.

5. 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 January and 31 March 2018.
- Members were provided with a comparison of the number of applications received between January and March 2018 for the preceding two years and a summary of the numbers of the licences in force and notices given as at 24 May 2018.
- The numbers of service requests received by the service between January and March 2018, compared with the previous two years were also reported.
- 38 service requests had been received and there were 8 service requests where enquiries were ongoing or a conclusion had not been reached.

The Marketing and Place Manager provided an update in respect of markets and street traders within the town centre.

The Institute of Licensing had published a guide on determining the suitability of applicants and licensees in the taxi and private hire trade. The aim of the guide was to try to achieve a level of consistency across local authorities. The guide would assist officers in developing a single taxi licensing policy across Taunton Deane and West Somerset, in readiness for the formation of the New Council.

The Licensing Manager advised the Committee on the sad news that Leigh-ann Fumagalli was due to leave the department as she had been seconded to another job within the Council. She would be sadly missed and he was in the process of holding discussions with HR to recruit a replacement so there would be a limited impact on the service delivery.

There were several projects that the team were working on which involved taxi tests that were due to be introduced or were being developed. The following were included:-

- Knowledge Test – this was due to be introduced and included safeguarding information. There were a couple of volunteers from the Taxi Forum who would carry out the test and feed back to the team;
- Medical Test – a review of the policy was being carried out and the proposal was to change it from an age related test;
- Practical Driving Test – this was due to be introduced to Taunton Deane Borough Council, who were the only Council within Somerset that did not carry out a practical test; and
- Fit and Proper Person Test – this policy was due to be formally adopted by the team.

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

- Members queried what the rules were on vaping in taxi vehicles.
The department did not have an official stance on vaping, but the Manager was open to the introduction of regulations to prevent vaping in taxi vehicles.
- Members queried what preparations were being made for the creation of the new Licensing Committee which would be part of the New Council in 2019.
Work had already started on the joint regulations for Licensing and would be brought into force when the new committee was formed.
- Concern was raised on the taxi trade and whether there would be an impact when the two district areas joined together.
It was unlikely that the New Council would keep two trading areas for the taxis to operate in because it would not be practical or in the public interest to administer two areas.
- Members requested clarification on what options were available to the team to take when a taxi driver had acquired penalty points on their licence.
There had been a Sub-Committee, which had faced difficulty in their decision on what action to take with a driver who had several points on his licence, which had prompted work to investigate what options were available to take. Originally the driver was instructed to participate in a driving course which was operated by the Police. However, this proved tricky to administer because they did not offer such courses for individuals. So the Manager had decided to request the driver to undertake a practical driving test which was able to instruct the driver on a wider level. This would be an additional option available for the team to use for future cases.

- Concern was raised on the loss of a member of the team and the impact that would have on service delivery.
The Manager assured the Committee that there were funds within the budget to recruit another member of staff.
- Members queried the cost of mobile trading and the size specification allowed in the town centre. There had been a double decker bus parked up in the High Street and there was concern over what fees it would have paid compared to other smaller traders.
The bus was for a company that wanted to test the market interest in Taunton before taking up a shop in the town. It was trading within promotional space which paid a higher fee than the normal trading areas. The Marketing and Place Manager was in negotiations with Somerset County Council to make the promotional space bigger.
- Members suggested that the wording in the guidance notes needed to be checked thoroughly before the document was published.
- Members queried whether the fees charged within Taunton Deane and West Somerset were different.
Yes they were, but the fees would be revised during the work to create a joint committee.
- Concern was raised on the loss of events in the town due to the fees charged for the use of open spaces.
The Marketing and Place Manager would check with the Open Spaces Team to find out if fees could be lowered for non-profit companies. There was already discretion allowed for charity events.
- Members requested a full update on street trading to be brought to the next committee scheduled for 22 August 2018.
- Concern was raised on the reduction in staff within the Licensing and Environmental Health Department and Members requested that a message was sent to the Senior Management Team and the Executive to express their concern on the impact to service delivery and that they wanted reassurance that the Transformation Project would not cause any further detriment to the frontline service.
The Portfolio Holder for Environmental Services and Climate Change agreed to take the message to the rest of the Executive and Senior Managers.

Resolved that the report be noted.

(The meeting ended at 7.15pm)