

# DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

## LICENSING COMMITTEE

### MINUTES OF THE MEETING HELD ON MONDAY, 25 JUNE 2018

**Councillors Present:** Peter Argyle, Howard Bairstow, Jeff Beck (Vice-Chairman), Graham Bridgman, Paul Bryant, James Cole (Chairman), Richard Crumly, Billy Drummond, Sheila Ellison, Manohar Gopal, Tony Linden and Quentin Webb

**Also Present:** Laura Driscoll (Principal Licensing Officer), Sean Murphy (Public Protection Manager) and Julia O'Brien (Principal Licensing Officer), Moira Fraser (Democratic and Electoral Services Manager)

**Apologies for inability to attend the meeting:**

**Councillor(s) Absent:**

#### PART I

#### 3. Minutes

The Minutes of the meetings held on 28 September 2017, 07 December 2017 and the 08 May 2018 were approved as a true and correct record and signed by the Chairman.

#### 4. Declarations of Interest

Councillors Richard Crumly and Quentin Webb declared an interest in Agenda Item 4, but reported that, as their interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

#### 5. Hackney Carriage and Private Hire Licence Fees Consultation Responses

*(Councillors Richard Crumly and Quentin Webb declared a personal interest in Agenda item 4 by virtue of the fact that they had previously made use of a hackney carriage or private hire vehicles. As their interest was personal they determined to take part in the debate and vote on the matter).*

The Committee considered a report (Agenda Item 4) concerning the responses received during the 28 day consultation period concerning the proposed fees in relation to hackney carriage and private hire licensing.

Laura Driscoll in introducing the item noted that the last time the fees had been increased was in April 2016. The fees had not been increased during the 2017 Council fee setting process. The proposed increase represented a circa 3% increase across the Board. In addition the Council was also proposing the introduction of a fee for 'dispensation vehicles' which were vehicles used to carry out contract work and which were therefore exempt from the requirement to display the plate.

Officers explained that the workload associated with the detailed cross checking of the list of people the drivers had contracts with was very time consuming.

Members were concerned that the increase associated with these vehicles was significantly higher than the other increases proposed. Officers stated that this was to

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cover the additional time it took to do the work which should form the basis of the fees set. Licensing fees were based on a cost recovery system. Members queried how many of these licenses were issued each year. Officers agreed to provide this information to members outside of the meeting (**Laura Driscoll to Action**).

Councillor Quentin Webb noted the consultation responses in relation to the removal of expiry dates from plates to reduce costs. Officers commented that although they had concerns about plates not being returned when licenses lapsed but that they were looking into the option of permanent stickers. They had not had enough time to reach a decision on their use as yet though. They would report back to the Committee on this option at a future meeting.

Members considered the details of the 'carry forward' in respect of the licensing budget. They noted that in 2014/15 the service had traded at a deficit of £70,197k. The deficit had increased to £156,287 in 2015/16 and that the deficit had reduced to only £358 in 2016/17. Officers noted that historically the licensing budget was not carried forward which had resulted in the spike in 2015/16. Members noted that there was some uncertainty around exactly what was included in the overheads and it was agreed that Sean Murphy would circulate the detail to members outside of the meeting. (**Sean Murphy to Action**).

Sean Murphy noted that work in respect of licensing fees was ongoing. Work to create parity across the three areas covered by the Public Protection Partnership (PPP) (West Berkshire, Wokingham and Bracknell) was being undertaken where it was appropriate to do so. It was hoped that this work would be completed in time for implementation for the 2019/20 budget cycle. The Joint Public Protection Committee (JPPC) would consider fees at the September 2018 meeting with a view to presenting the proposals to the various Licensing Committee in the Autumn prior to approval at the March 2019 full Council meetings. Councillor Graham Bridgman queried if it would be necessary to take Licensing fees to full Council in light of the Council's Scheme of Delegation. Sean Murphy stated that he would have to seek advice from Legal Services on that issue.

Councillor Graham Bridgman enquired if the Council incurred any additional costs by the inclusion of an expiry date on the plate. Officers explained that the Council created the plates and the costs were met by the trade as part of their licence fee.

The Committee agreed in accordance with paragraph 7.6.2 of the Constitution (Motions that can be moved without Notice) to suspend standing orders in order to allow representatives of the trade to provide them with feedback.

Mr Graham Cox stated that the higher fee for dispensation vehicles was not justified. Checks used to be undertaken annually but he had not received a check in four years. He therefore believed that there was no justification for the fee. He asked if the Council would be able to insure that checks were being done.

Councillor Graham Bridgman was concerned that the Committee was not being given sufficient information on which to base a decision to amend the fees on. Councillor Paul Bryant stated that Officers had used the available information in order to arrive at the figures. Perhaps the issue was that this information had not been presented in a way to Members that they could understand the rationale. He was concerned about delaying the implementation of the revised figures. Councillor Quentin Webb commented that while he trusted the calculations it was disappointing that the justification for the increases was not included in the report.

Councillor Bryant stated that he would like to see regular checks being undertaken and that he would like to see that work being monitored.

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**RESOLVED** that the fees be set, without modification, and implemented on the 26 June 2018. The increases to be monitored and reported back on to ensure they were justified.

### 6. **Safeguarding and Disability Awareness Training for Licensed Drivers and Operators**

The Committee considered a report (Agenda Item 5) which set out responses received in relation to safeguarding and disability awareness training for licensed drivers and operators. The proposal was to expand the training to include safeguarding.

Laura Driscoll in introducing the item stated that while dual drivers already had to undertake disability awareness training as a requirement of their licence, private hire drivers and operators were not required to do so.

Following the presentation of a report to the Licensing Committee Officers had engaged the trade in a consultation on this issue. The five responses to the consultation were set out in Appendix C to the report.

She explained that the Council would be happy to accept certificates from other providers provided that the training was deemed to be of an equal standard. It was also proposed that the training would be offered to all staff and not just drivers.

Julia O' Brien stated that Officers were trying to find a supplier to provide training across Berkshire. It had initially been hoped that Bracknell might have been able to provide the service inhouse but unfortunately this had not been possible. It was hoped that the costs might be able to be reduced if the training could be undertaken on Council premises. It was also proposed that drivers would be able to select a location which was best suited to them. In response to a query from Councillor Crumly it was noted that the drivers paid for the training as part of the application process.

Councillor James Cole asked if there was an opportunity to undertake joint training with those providing school transport. Julia O' Brian stated that this was something that officers had looked into but their costs were higher (£50).

The Committee agreed in accordance with paragraph 7.6.2 of the Constitution (Motions that can be moved without Notice) to suspend standing orders in order to allow representatives of the trade to provide them with feedback.

Bill Annetts stated that some drivers would not want to the training as they did not transport children. Drivers were also concerned that they would not receive a licence if they did not do the test. Concern was also being expressed about the costs being passed on to the drivers.

Standing orders were reinstated. Members felt that the training should be introduced and that efforts should be made to keep the costs as low as possible.

**RESOLVED** that a condition be added to all driver and operator licences to require them to attend mandatory safeguarding and disability awareness training, including refresher training every three years commencing from 01 August 2018.

*(The meeting commenced at 5.00 pm and closed at 6.07 pm)*

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**CHAIRMAN** .....

**Date of Signature** .....