

LICENSING COMMITTEE

MINUTES OF THE MEETING HELD ON

MONDAY, 7 NOVEMBER 2022

Councillors Present: James Cole (Chairman), Phil Barnett (Vice-Chairman), Steve Ardagh-Walter, Jeff Beck, Graham Bridgman, Tony Linden, Graham Pask and Martha Vickers

Councillors Present Remotely: Adrian Abbs and Clive Hooker

Also Present: Julia O'Brien (Principal Licensing Officer), Amanda Ward (Licensing Officer), Lizzie Reeves (Zoom Host), Moira Fraser (Principal Officer - Policy & Governance) and Benjamin Ryan (Clerk)

Apologies for inability to attend the meeting: Councillor David Marsh

Councillor Absent: Councillor Billy Drummond

PART I

10. Minutes

The Minutes of the meeting held on 4 July 2022 were approved as a true and accurate record subject to the following amendments:

- On Pages 7 and 8 it should refer to criteria (the plural of criterion) and therefore the word 'a' should be removed.
- Item 6, Recommendation 2, should refer to 'chargers' not 'charges'

The Chairman noted that a report went to the September Executive, which recommended a remittance scheme for electric and hybrid taxis. The Executive agreed the recommendations made by this Committee and these were reflected on the fees paper, which would be discussed at the meeting. The Chairman also explained that an annual discussion on helping the taxi trade go greener was included on the Forward Plan and an update on the tariffs was also provided as part of the paperwork for this meeting.

11. Declarations of Interest

There were no declarations of interest received.

12. Licensing Fees and Charges 2023/24

The Committee considered a report (Agenda Item 4), which set out the Public Protection Partnership's (PPP's) Fees and Charges, which had been proposed by the Joint Public Protection Committee (JPPC) at its meeting on the 5 October 2022. This was in line with the Council's requirement to review the fees and charges on an annual basis. The Committee was asked to contemplate the proposals for the statutory consultation associated with the fees and charges for private hire operators, and hackney carriage and private hire vehicle licence fees.

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Ms Moira Fraser introduced the item by highlighting that all fees were set on a full cost recovery basis and that for the first time in three years, a proposal had been made at the JPPC to increase the hourly rate from £59 to £64, which equated to a below inflation increase of just under 8.5%.

Councillor Graham Bridgman explained that he was unsure how a cost of £11.50 was set at an hourly rate, in regards to the change of address fee, as it could not be divided easily to correlate with an amount of time worked. The Chairman argued that it could not be justified that the time spent on renewal would be 15 minutes and that the future installation of a new electronic system could even make the process more efficient. Ms Fraser pointed out that the time taken for processing applications depended on the quality of the submissions, therefore an average had to be taken.

Councillor Steve Ardagh-Walter agreed that the geographical element of the Knowledge Test might be unnecessary once a driver had passed the test and that this could be a way fees could be reduced.

Councillor Adrian Abbs could not see how the hourly rate was set at £64 and thought a more reasonable price could be achieved, especially if the system was to be further automated and Ms Fraser explained that the hourly rate included other costs as well, not just officer salaries. The Chairman highlighted that the fees were reviewed every year and the contribution of the new system would need to be considered next year. Ms Fraser explained that the average time taken for tasks was reviewed annually.

Councillor Bridgman reminded the Committee that last year's rate was set at £59 an hour and that the Committee was to only recommend these fees to Council. Councillor Bridgman explained that the calculation of fees were based upon whether they were a statutory requirement or based on cost recovery. As some of the PPP fees were based on cost recovery, it would have to be considered on an hourly rate, which would be a blanket rate for the whole service, as it would be impractical to have it for each individual officer. Then the Council would work out how long a task took, from which the fee would be calculated.

Councillor Jeff Beck explained as there had been no increase in the previous three years to the fee, he felt that the fees should have been increased incrementally, instead of having one large increase. This was because small increases were more likely to be accepted instead of one large increase. Councillor Beck then pointed to paragraph 4.16, in regards to Disclosure and Barring Service (DBS) checks, and asked whether the fee, which was proposed at £70, could be reduced or whether the previous fee of £79 could be kept due to the uncertain financial times. Ms Fraser drew Members' attention to the legal implications set out in the report which confirmed that the fees should be set at a level as to not generate a surplus. The Chairman stated that the previous two years might not have seen a rise in fee costs due to the low inflation rates.

Councillor Graham Pask furthered the point about setting reasonable fees at no profit to the Council and he emphasised that the Committee had become stuck on one particular aspect of the report, of which he believed should be kept as recommended.

Councillor Pask proposed that the Committee approve the Officer recommendations within the report and this was seconded by Councillor Bridgman.

The Committee **RESOLVED** that:

- Save for the private hire operator, and hackney carriage and private hire vehicle licence fees, the fees set out at Appendix A of the Agenda go forward for consideration as part of the Council fee setting process.

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- The proposed charges for operators and vehicle licence fees be subject to a twenty eight day statutory consultation period from 17 November 2022 to 15 December 2022.
- A public notice pertaining to the Taxi and Private Hire Vehicles and Private Hire Operators fees would be placed in the Newbury Weekly News and Reading Chronicle.
- A consultation letter would be posted to all Taxi and Private Hire Drivers and Private Hire Operators in the District and that a copy of the consultation would be posted on the Public Protection Partnership website, on the West Berkshire Council Consultation Hub and in the reception area at the Market Street Offices.

If no objections are received, the charges for operators and vehicle licence fees be included in the February 2023 Executive and March Council papers for approval; or if objections are received they be considered by the Licensing Committee at the meeting on 23 January 2023 and any changes be recommended to full Council for approval.

13. Hackney Carriage Tariffs

The Committee considered a report (Agenda Item 5), which provided feedback on the statutory consultation in relation to the hackney carriage table of fares and noted any decisions taken by the Executive on the matter. The report also outlined the process that would be followed in 2023 if any changes were required to the table of fares.

Ms Fraser introduced the item by stating that the Licensing Committee had agreed to recommend that the Executive consult on an increase of circa 8% to the fares. The consultation ran from the 14th July to the 28th July 2022. The Council received three objections to the proposed modifications to the table of fares, which were all withdrawn. Ms Fraser explained as there was no need for the report to go back to Executive the tariffs came into effect on 29 July 2022. There was also a request received to clarify the presentation of the tariff cards in respect of vehicles carrying five or more passengers and that the 50% uplift was applied to the end of the journey, so under delegated officer decision, the presentation of these were changed.

The Chairman noted that the consultation brought in a variety of views, however the most prominent issue was over the fouling charges.

Councillor Linden believed that there was a valid point made about the fouling penalties and noted that even though petrol prices had gone down, diesel remained stubbornly high, as well as electricity costs varying due to the specific charge points.

Councillor Abbs explained that his experience was that most drivers seemed to not be aware of the consultation and that this highlighted that there was an issue in communication between the Council and the taxi drivers. The Councillor also noted that during his own discussions with the taxi drivers, their main concern was over the dress code and Ms Fraser asserted that new ways of communicating with the drivers could be explored. However resources were limited within the team and this would need to be factored into any discussion.

Councillor Phil Barnett showed concerns over the enforcement of the fouling charges and stated that this would be something that the Committee could look into.

Councillor Bridgman congratulated officers on the tidy fees and pointed out that now the fouling charge had been introduced, this was something that could be amended in the future.

The Committee **RESOLVED** to note the report.

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14. **Draft Hackney Carriage and Private Hire Licensing Consultation Update**

The Committee considered a report (Agenda Item 6), which provided the Licensing Committee with an update on the outcome of the public consultation on the policy and provided an update on the progress that was being made with reviewing the policy with the trade.

Ms Julia O'Brien introduced the item explaining that the consultation was sent out to a variety of businesses, posted on the PPP website, a survey was sent out and trade members were individually emailed, amongst a variety of other strategies. The trade meetings arranged by the PPP had been extensive and highlighted concerns the taxi trade had. Ms O'Brien noted that a report on the outcome of the meetings with the trade was not yet ready for the Committee as this was an ongoing process.

Councillor Bridgman stated that there had been four meetings with the trade, of which they had engaged in detail and this meant the policy could be implemented in a way that helped all parties involved.

Councillor Ardagh-Walter wanted to know whether the respondents could be split up into their respective groups (Resident, Driver, and Local Authority Officer) to examine the data further. Ms Fraser explained that she could look into it, but was unsure whether that could be done.

The Committee **RESOLVED** to note the report.

15. **Update Following Discussions at the Taxi and Private Hire West Berkshire Council Liaison Group**

The Committee considered a report (Agenda Item 7), which provided the Committee with an update on any issues emanating from the most recent Liaison Group meetings.

Ms Fraser introduced the item by noting that the Council continued to meet with the trade twice a year. Firstly, in January to discuss the tariffs for the forthcoming year and to provide feedback on the statutory consultation on fees and secondly, in October to talk about the fees for the following year. Ms Fraser pointed out that there were no particular issues raised in the most recent October meeting and that the trade were also notified that the COVID-19 grant funding for the Licensing Liaison Officers had come to an end. Finally, Ms Fraser noted that two apprentice Officers would be joining the service and that they were looking for a third.

The Chairman highlighted the difficulty of finding the DBS check on the Council website through the search bar and Ms O'Brien agreed to look into this.

The Committee **RESOLVED** to note the report.

16. **Forward Plan**

The Committee considered the Forward Plan for January 2023 to January 2024 (Agenda Item 8).

Councillor Adrian Abbs enquired into whether something could be added on finding ways to better connect with taxi drivers and Ms Fraser explained that it could be added, however there were limited resources.

The Committee **RESOLVED** to note the Forward Plan.

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(The meeting commenced at 4.30 pm and closed at 5.20 pm)

CHAIRMAN

Date of Signature