

# **LICENSING COMMITTEE**

## **MINUTES OF THE MEETING HELD ON**

### **MONDAY, 6 NOVEMBER 2023**

**Councillors Present:** Phil Barnett (Chairman) Paul Dick (Vice-Chairman), Nick Carter, Billy Drummond, Nigel Foot, Paul Kander, Jane Langford, Stephanie Steevenson, Louise Sturgess, Clive Taylor and Martha Vickers

**Also Present:** Moira Fraser (Principal Officer - Policy & Governance), Julia O'Brien (Principal Licensing Officer), Gordon Oliver (Zoom Host), Benjamin Ryan (Clerk) and Riley Timney (Licensing Enforcement Officer)

**Councillor(s) Absent:** Councillor Owen Jeffery

## **PART I**

### **1. Minutes**

The Minutes of the meeting held on 10 July 2023 were approved as a true and correct record and signed by the Chairman.

### **2. Declarations of Interest**

Councillor Louise Sturgess declared an interest in all Agenda Item(s), as her partner held a personal license, but reported that, as her interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.

### **3. Statement of Licensing Policy - Review and Consultation**

The Committee considered a report (Agenda Item 4) concerning the Statement of Licensing Policy Review and Consultation. Ms Julia O'Brien introduced the report and was pleased to note the high level of responses to the consultation.

Councillor Paul Dick enquired into the Licensing Authority's jurisdiction regarding CCTV and whether they differentiated between areas within the district. Ms O'Brien explained that West Berkshire Council (The Council) had little control over area wide CCTV. Many of the licences issued included conditions around CCTV to help prevent crime and disorder but each application was assessed on its own merits.

Councillor Dick expressed that he would like to see the addition of a consultee that represented children's interests in future consultations on the policy and Ms O'Brien agreed and suggested the Education Board.

Councillor Martha Vickers stated that the Youth Council could be a good avenue for consultation of younger peoples' views. She acknowledged that although CCTV infringed on residents' privacy it did serve a purpose in preventing crime and disorder.

Councillor Nigel Foot highlighted the work carried out by organisations, such as Pub Watch, that actively worked with Thames Valley Police to help reduce disorder around pubs. Officers confirmed that they regularly attended these meetings, and that reference was made to schemes of this nature in the policy.

Councillor Jane Langford argued that it was important to look at all areas of West Berkshire not just Newbury. Ms O'Brien explained that all licensing applications were looked at on their own merits, with the Licensing Sub-Committee providing further consideration, if necessary. The policy was applicable to the district as a whole.

## LICENSING COMMITTEE - 6 NOVEMBER 2023 - MINUTES

Councillor Clive Taylor asked about the mediation process regarding applications and Ms O'Brien noted that the Council worked with potential applicants before submission and would encourage them to discuss their application with responsible authorities. Once an application was with the Council and a representation was made, the Licensing team would encourage mediation between parties via email or phone call, if necessary, the team would facilitate a meeting if there were many objectors.

Councillor Paul Kander queried as to what was meant by large scale events within paragraph 3.6 of the policy and Ms Moira Fraser explained that the definition was on the website, however it was around 500 or more attendees. Organisers would be invited to attend a meeting of the Safety Advisory Group, where the organisers would be able to discuss their event management plans with a range of attendees including Thames Valley Police, the Royal Berkshire Fire and Rescue Service, South Central Ambulance Service and Officers from Public Health, Licensing, Highways, Health and Safety, Environment Health and Emergency Planning.

Councillor Foot questioned whether the policy was a live document and Ms Fraser explained that any major amendments would have to go back through the Committee then agreed by Council, however minor changes could be made via delegated authority as proposed in the report.

Councillor Dick proposed the recommendations set out in the report and this was seconded by Councillor Foot.

The Committee **RESOLVED** that:

- The Committee approve proposed amendments to the draft policy with or without modification.
- The draft policy without modifications go to full Council.

The Committee noted the consultation responses.

#### 4. **Licensing Fees and Charges 2024/25 Report**

The Committee considered a report (Agenda Item 5) concerning the Licensing Fees and Charges 2024/25 Report. Ms Fraser introduced the report.

Councillor Stephanie Steevenson suggested that the Chairman include in his letter to Parliament that the licensing fees increased in line with planning fees.

Councillor Nick Carter explained that due to the increase in 20 mph zones taxis were incurring higher fuel costs and asked whether this had been considered when setting fees. Ms Fraser stated that the licensing fees were based on a cost recovery basis for the cost to the Council to issue the license. Ms Fraser mentioned that the Council was aware of the cost issues facing drivers, however the issue with the 20 mph zones had not been brought up by the trade. This was something that could be looked at should the trade decide to submit a business case to amend the fares.

Councillor Vickers expressed her belief that posting public notices within the Newbury Weekly News and Reading Chronicle was not worth the expense.

The Chairman stated that the Committee was required to post the public notice in at least one paper. As the Newbury Weekly News was the less expensive option, he proposed that only one public notice be placed this year.

Councillor Dick supported the use of one newspaper for the public notice and was supportive of the fee increases, whilst encouraging the Council to be competitive with the surrounding Local Authorities.

## LICENSING COMMITTEE - 6 NOVEMBER 2023 - MINUTES

Councillor Langford questioned whether the price for the scrap metal license could be increased as it had not been for a while and whether the impact of global warming had been considered into the fees. Ms Fraser explained that the fees could not be increased to gain a profit and could only be in line with cost recovery.

Councillor Taylor asked what the response rate from the public notices were and Ms Fraser stated that it was probably close to zero as most residents did not look at the public notices. The vast majority of responses came from the trade who were written to directly or from the consultation placed on the PPP and West Berkshire Council websites.

Councillor Steevenson asked whether safeguarding training for new drivers could be delivered by the Council. Ms Fraser answered that this was a process the Council was looking to bring in house in partnership with the social care teams to save cost and enable a new source of income.

Councillor Dick proposed the recommendations in the report with an alteration to 4.12, b), with only the Newbury Weekly News receiving the public notice, which was seconded by Councillor Vickers.

The Committee **RESOLVED** that:

- The fees for Private Hire Operators and Hackney Carriage and Private Hire Vehicle licence fees are subjected to the statutory consultation period as described in paragraph 4.12.
  - a) the fees for Private Hire Operators and Hackney Carriage and Private Hire Vehicle licence fees are subjected to the statutory consultation period from 23 November 2023 to 21 December 2023.
  - b) a public notice pertaining to the Taxi and Private Hire Vehicles and Private Hire Operators fees be placed in the Newbury Weekly News.
  - c) a consultation letter is posted to all Taxi and Private Hire Drivers and Private Hire Operators in the District.
  - d) a copy of the consultation is posted on the Public Protection Partnership website, on the West Berkshire Council Consultation Hub and in the reception area at the Market Street Offices.
  - e) If no objections are received, the charges for operators and vehicle licence fees are included in February 2024 Executive and March Council papers for approval; or if objections are received, they be considered by the Licensing Committee at the meeting on 22 January 2024 and any changes be recommended to full Council for approval.
- the Chairman of the Licensing Committee should write to Central Government to request that the statutory fees be revisited.

The Committee noted the 2024/25 fees and charges detailed in Appendix A and that statutory licensing fees have not increased since circa 2011

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

The Committee considered a report (Agenda Item 6) concerning the Update Following Discussions at the Taxi and Private Hire West Berkshire Council Liaison Group. Ms Fraser introduced the report.

The Chairman expressed that the Liaison Group was not effective in gathering the opinion of the entire trade.

**LICENSING COMMITTEE - 6 NOVEMBER 2023 - MINUTES**

Councillor Billy Drummond questioned paragraph 4.9 in the report in regard to the fouling charges and Ms Fraser explained that if a request to amend the fares was submitted the Council would look into implementing a scale of fees linked to the tariff periods.

Councillor Foot stated that the Council should look for ways for the trade to have an open dialogue with officers, as some may not have been able to come along to a meeting due to time constraints and the Chairman agreed and stated that other options should be assessed further.

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

It was agreed by the Committee that the next meeting of the Licensing Committee would take place on Monday 8 January at 16:30 pm.

*(The meeting commenced at 4.30 pm and closed at 5.42 pm)*

**CHAIRMAN** .....

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