

Unconfirmed



Minutes of a Meeting of the **Licensing Committee** held remotely via Zoom, on **Monday, 19 April 2021** at **6.30pm**

Members of the Committee present:

Councillor Paul Ashdown, Councillor Edward Back, Councillor Jocelyn Bond, Councillor Linda Coulam, Councillor Janet Craig, Councillor Colin Hedgley, Councillor Frank Mortimer, Councillor Trish Mortimer, Councillor Mark Newton, Councillor Keith Patience, Councillor Keith Robinson, Councillor Steve Wiles

Other Members present:

Councillor Mark Jepson, Councillor Mary Rudd

Officers present: Teresa Bailey (Senior Licensing Officer), Chris Bing (Legal and Licensing Services Manager), Sarah Carter (Democratic Services Officer), Karen Cook (Democratic Services Manager), Alison Woodley (Licensing Officer).

1 Minutes

RESOLVED

That the Minutes of the Meeting held on 25 January 2021 be confirmed as a correct record and signed by the Chairman.

2 Apologies for Absence and Substitutions

An apology for absence was received from Councillor T Goldson.

3 Declarations of Interest

There were no Declarations of Interest.

4 Department for Transport Statutory Taxi and Private Hire Vehicle Standards

The Cabinet Member with responsibility for Community Health introduced report ES/0727 which related to the new Department for Transport's (DfT) Statutory and Private Hire Vehicle Standards.

The Senior Licensing Officer reminded Members of their decision, at their January meeting, that a full review of the current policy and procedure should be undertaken to

determine any necessary amendments as a result of the new DfT standards. The DfT had stated that while there had been a focus on protecting children and vulnerable adults, it was important that all passengers were protected and benefitted by the recommendations in their standards. The document set out a framework of policies and stated that Licensing Authorities must have regard to the policies when exercising their functions and review as may be necessary. As a result, and in the interests of transparency, the Council needed to publish the review of its standards and also meet criteria as to how the Council dealt with its standards.

The Senior Licensing Officer drew attention to Appendix A which gave details of the assessment of the Statutory Taxi and Private Hire Vehicle Standards under three columns:

- The standards recommendations and matters raised.
- The Council's current position and if it met the recommendations.
- The proposed action to be taken, if applicable.

Appendix B contained proposed changes to the Criminal Convictions Policy and Appendix C proposed changes to the existing Taxi and Private Hire Licensing Policies and Guidance, over and above the DfT recommendations. In addition, the DfT was proposing that the information be contained in one policy document. Committee approval was being sought to go out to public consultation on the proposed changes.

The Chairman congratulated the Licensing Team on their hard work for putting together such detailed information and invited questions.

In response to a question relating to the sharing of information and signing up to the NR3, the Senior Licensing Officer advised that the Council was now signed up to the National Register. The Licensing Team would need to write to all drivers, past and present, and give them 28 days for any appeal before being put on the register.

Members discussed the raised standards for all taxis and passengers and commented on any possible financial implications for the taxi drivers as a result of some of the changes. It was noted that the consultation period would be at least four weeks and by various methods including via the Council's website, direct email and via mail shots. The proposed requirement for operators to provide a register of all staff involved with taking bookings and dispatching vehicles was welcomed.

The Committee welcomed the thorough report and the need to look after the interests of the customers with high standards and good policies. Both the consultation and the content of the report were supported and there being no further discussion, it was

RESOLVED

That, having considered the assessment of the new statutory standards and the changes to the existing policies and procedures, the proposed consultation for the new statutory standards and the changes to the existing policies and procedures be approved.

Review of the Structure and Setting of Hackney Carriage Fares in East Suffolk

The Cabinet Member with responsibility for Community Health reminded the Committee that, at its last meeting, it was agreed to consult with the trade on the current tariffs and agree future arrangements following that consultation. Report ES/0728 now before Members for consideration gave details of the outcome of that consultation exercise on the options available for the structuring and setting of hackney carriage tariffs in East Suffolk.

The Legal and Licensing Services Manager explained that East Suffolk currently operated with two tariff tables, one in the north and one in the south of the district. This was as a result of the former Waveney District Council area and Suffolk Coastal District Council area. This arrangement, whilst unusual, was lawful. There had been no increase in tariffs since 2012 but in October 2020 an application had been received from an operator in the south of the district and an increase had been granted. Discussions on fares at that time and whether tariffs needed to be reviewed had resulted in agreement to go out for consultation with the trade. The options available were as set out in the report and advised:

1. To have two tariff tables or one.
2. What the tariff timings should be for the tariffs.
3. To continue the existing custom and practise of the trade triggering the reviews, rather than increasing fares in line with the Retail Price Index or on a periodic basis.

The Legal and Licensing Services Manager advised that 200 hackney carriage drivers and 76 private hire operators had been consulted and 34 written responses had been received during the consultation period which ran from 9 February and 10 March 2021. He summarised the results of those responses as follows:

Tariff Tables

27 of the 34 respondents wished to keep the status quo of two tariff tables for a number of reasons, details of which were contained in paragraph 3.2 of the report. Only six favoured one table for East Suffolk district.

Tariff Timings

The majority were content with the existing timings although five consultees suggested that tariff 2 could start earlier in the evening. If Members wished to consider that change, it would be subject to a 14 day formal consultation before any change could be made. In addition, all meters would need to be recalibrated.

Tariff Reviews

The consensus amongst respondents was that the trade should continue to trigger reviews as they understood their customers and their drivers' needs.

Members questioned the number of Councils operating with two tariffs, the possible increase in the soiling charge to £75 in the north, and support from the Police when a taxi had been soiled. Having discussed Agenda Item 4 on Statutory Taxi and Private Hire Vehicle Standards, comment was made that those standards might make a significant difference to the drivers and the proposed tariffs. It was reported that the

taxi drivers in the north were proposing to form an Association in the north of the district and that might give a fuller view in the future.

The Legal and Licensing Services Manager advised that it would only be those Councils who had merged under the Local Government Act that were likely to have two tariffs. The Senior Licensing Officer explained that West Suffolk had one tariff table but a few authorities, including Babergh and Mid Suffolk, were still operating with two.

The Legal and Licensing Services Manager reminded Members that the consultation on standards did not include tariffs. If any proposed new standards resulted in additional costs to drivers, it was open to the trade to trigger a review of tariffs at any time. Members supported the status quo at the present time and it was

RESOLVED

1. That it be agreed to continue with the existing arrangement of having two tariff tables in the East Suffolk district; one in the North of the district (the former Waveney District Council area) and one in the South of the district (the former Suffolk Coastal District Council area).
2. That it be agreed to continue with the different timings for tariffs in the existing North and South tariff tables.
3. That it be agreed to continue with the existing custom and practice of the trade proposing a new tariff table for the Licensing Authority to approve and formally consult on as and when they consider that an increase is appropriate or necessary.

6 Issued Licenses in East Suffolk and an Overview of the Work of the Licensing Sub-Committees - January to March 2021

The Committee received report ES/0729 which gave an overview of the current number and type of licenses issued by the Council. The report also summarised the applications received and the work of the Licensing Sub-Committees from January to March 2021.

The Legal and Licensing Services Manager gave an update with regard to paragraph 1.5 in the report and advised that one hearing had now taken place. A Licensing Sub-Committee meeting had been held on 16 April with regard to the Spice of Balti in Bungay. The hearing had been held in private session at the request of the Police so it was not possible to go into too much detail. However, the Designated Premises Supervisor had been removed and additional conditions had been added to the licence.

The remainder of the report gave details of the current position with regard to licenced premises and taxi licences.

Members thanked the officers for producing such a detailed report, keeping them fully informed of what was happening in the District. There being no further discussion, it was

RESOLVED

That the overview of the work of the Licensing Team and the Licensing Sub-Committees during the first three months of 2021 be noted.

The meeting concluded at 7.14pm.

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Chairman