



**East Suffolk House, Riduna Park, Station
Road, Melton, Woodbridge, IP12 1RT**

Licensing Committee

Members:

Councillor Colin Hedgley (Chairman)
Councillor Mark Newton (Vice-Chairman)
Councillor Paul Ashdown
Councillor Edward Back
Councillor Jocelyn Bond
Councillor Linda Coulam
Councillor Janet Craig
Councillor John Fisher
Councillor Tony Goldson
Councillor Frank Mortimer
Councillor Trish Mortimer
Councillor Keith Patience
Councillor Keith Robinson
Councillor Rachel Smith-Lyte
Councillor Steve Wiles

Members are invited to a **Meeting** of the **Licensing Committee**
to be held on **Monday, 19 April 2021 at 6.30pm**

This meeting will be conducted remotely, pursuant to the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

The meeting will be facilitated using the Zoom video conferencing system and broadcast via the East Suffolk Council YouTube channel

<https://youtu.be/dltK86GpidQ>

An Agenda is set out below.

Part One – Open to the Public

Pages

- | | | |
|----------|---|----------------|
| 1 | Apologies for Absence and Substitutions | |
| 2 | Declarations of Interest
Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered. | |
| 3 | Minutes
To confirm as a correct record the Minutes of the meeting held on 25 January 2021. | 1 - 5 |
| 4 | Department for Transport Statutory Taxi and Private Hire Vehicle Standards ES/0727
Report of the Cabinet Member with responsibility for Community Health | 6 - 44 |
| 5 | Review of the Structure and Setting of Hackney Carriage Fares in East Suffolk ES/0728
Report of the Cabinet Member with responsibility for Community Health | 45 - 57 |
| 6 | Issued Licenses in East Suffolk and an Overview of the Work of the Licensing Sub-Committees - January to March 2021 ES/0729
Report of the Cabinet Member with responsibility for Community Health | 58 - 67 |

Part Two – Exempt/Confidential

Pages

There are no Exempt or Confidential items for this Agenda.

Close



Stephen Baker, Chief Executive

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www.local.gov.uk/Community-Leadership

Unconfirmed



Minutes of a Meeting of the **Licensing Committee** held remotely via Zoom on **Monday 25 January 2021 at 6:30 pm**

Members of the Committee present:

Councillor Paul Ashdown, Councillor Edward Back, Councillor Jocelyn Bond, Councillor Linda Coulam, Councillor Janet Craig, Councillor John Fisher, Councillor Tony Goldson, Councillor Colin Hedgley, Councillor Frank Mortimer, Councillor Mark Newton, Councillor Keith Robinson, Councillor Steve Wiles

Other Members present:

Councillor Mary Rudd

Officers present: Katherine Abbott (Democratic Services Officer), Teresa Bailey (Senior Licensing Officer), Chris Bing (Legal and Licensing Services Manager), Matt Makin (Democratic Services Officer)

1 Apologies for Absence and Substitutions

Apologies for absence were received from Councillor Trish Mortimer and Councillor Keith Patience.

2 Declarations of Interest

There were no Declarations of Interest.

3 Minutes of the Licensing Committee held on 19 October 2020

RESOLVED

That the Minutes of the Meeting held on 19 October 2020 be confirmed as a correct record and signed by the Chairman.

4 Hackney Carriage Fares in East Suffolk

The Legal and Licensing Services Manager summarised report **ES/0649** which provided an overview of current Hackney Carriage fares in East Suffolk. The Committee was informed that there were currently two tariff tables operating within East Suffolk, one

in the north of the district and one in the south (the former Waveney and Suffolk Coastal District Council areas). The report sought the Committee's agreement to consult with the trade on whether to leave the existing arrangements in place or to adopt one tariff table for the whole district.

Councillor Robinson asked when the last increase to the tariff in the north; the Legal and Licensing Manager said this had been in September 2012 and that the last increase in the south was in November 2020.

Councillor Newton asked about the sequencing of the proposed consultation. The Legal and Licensing Manager replied that, if approved, an informal consultation, outside of the statutory framework, would have more discretion in the period of the consultation, but four to six weeks was reasonable. He stated that, if approved, all hackney carriage drivers and operators would be consulted and the resulting report would be submitted for consideration at the meeting of the Committee in April. The Chairman asked to be kept advised of the timescales and any variation to the timing of a report to Committee.

The Chairman invited the Committee to debate.

Councillor Goldson stated that tariffs in the north were lower priced but there was, he said, more deprivation in the north. He continued to state that the south of the district was more affluent. Councillor Goldson considered it was for the trade to approach the Council and not to impose.

Councillor Robinson said it was a concern that, potentially, many taxi drivers were working at the same tariff rate despite increased costs and that, consequently, he considered the standard of vehicle used to be declining. He added that if one company raised its prices, it became uncompetitive as other companies remained at the original price. Councillor Robinson said that he welcomed a consultation on the sensible amalgamation and alignment of fees.

Councillor Newton said he was pleased a consultation was proposed and was confident it would produce a good result.

Councillor Wiles stated that he felt the industry was best placed to decide on tariffs and it had not requested a change.

Councillor Mortimer said he welcomed the proposed consultation. Councillor Ashdown agreed and said it would be a valuable opportunity to hear the opinions of operators and drivers on this matter.

Councillor Cloke asked how many responses to the last consultation had been received; the Senior Licensing Officer said a small number of replies had been received to a consultation on the drug testing policy. Councillor Coulam asked if an improved rate of response was anticipated for the proposed consultation. The Senior Licensing Manager said that the proposed consultation was on a matter with a potential direct effect on hackney carriage drivers and therefore it was reasonable to expect a healthy number of replies. In response to a question by Councillor Coulam, the Legal and Licensing Services Manager confirmed that consultees would be all hackney carriage drivers and

companies but not private hire drivers; she also confirmed that consultees would be provided with all relevant information on the two tariff tables and the differences highlighted.

Councillor Coulam said she was disappointed private hire drivers would not be consulted. The Legal and Licensing Services Manager said that this would necessitate a much broader scope of consultation and this could not be completed by April.

There being no further questions or matters raised for debate, the Chairman moved to the recommendations. These having been proposed and seconded, by unanimous vote it was

RESOLVED

That a consultation be undertaken by Licensing Services with the hackney carriage trade be on the matters detailed below be approved:

1. whether to leave the existing two tariff table arrangement in place or to adopt one tariff table for the whole of the district in East Suffolk;
2. if one tariff table is to be adopted, whether the one tariff table should be the current tariff table in the North, the current tariff table in the South or a new tariff table with tariffs possibly set at the mid-point between the two tariff tables where there is a difference; and
3. whether it should be left to the trade, which is the current custom and practice in East Suffolk, to trigger fare reviews when they consider that an increase is appropriate and that the market can sustain an increase without demand for taxis being adversely affected; or alternatively moving to a system whereby the licensing authority periodically reviews licensing fares and consults on revised fare tables with proposed fares increased in line with the Retail Price Index (RPI).

5 Department of Transport Statutory Taxi and Private Hire Vehicle Standards

The Senior Licensing Officer summarised report **ES/0650** which advised the Committee of the Department of Transport's new *Statutory Taxi and Private Hire Vehicle Standards* and sought approval for a full review of current policy and procedure to determine the necessary amendments required by the new Standards. The Senior Licensing Officer stated that, if so approved, proposals would be brought to the next meeting of the Committee, in April, to seek approval to undertake a public consultation.

The Chairman invited questions.

Councillor Mortimer asked if there was a Council policy for the pandemic. The Senior Licensing Officer said that the Government had issued guidance but there was no policy. Councillor Mortimer asked how non-compliance with the guidance would be enforced. The Senior Licensing Officer said it was not the Council's responsibility to take enforcement or issue fines etc. for non-compliance with guidance. She explained that, under the guidance, it was mandatory for a passenger to wear a mask while riding in a taxi but it was not mandatory for the driver to do so. The driver was at liberty to accept a passenger or to refuse if, for example, they declined to wear a mask.

Councillor Coulam asked about the Council's proposals for CCTV/video equipment within vehicles. The Legal and Licensing Services Manager said the views of the trade on this, including the balance between public safety and implications for individuals' privacy and cost, would be most welcome.

It was proposed, seconded and by unanimous vote

RESOLVED

That, having noted the report including the Department of Transport's Statutory Taxi and Private Hire Vehicle Standards, at Appendix A, a full review of current policy and procedure to determine the necessary amendments required by the new Standards was approved

6 Issued Licenses in East Suffolk, an overview of the work of the Licensing Sub-Committee, and Licensing enforcement matters

The Legal and Licensing Services Manager summarised report **ES/0651** which provided an overview of the current number and type of licences issued by East Suffolk Council. The report also summarised the applications received and the work of the Licensing Sub Committee from October to December 2020.

There were no questions or matters raised for debate. The Chairman wished to record his thanks, on behalf of the Committee to the Officers for their excellent work.

It was proposed, seconded and by unanimous vote

RESOLVED

That, having considered the report and its contents, it be noted

7 Exempt and Confidential Item

RESOLVED

That, under Section 100A(4) of the Local Government Act 1972 (as amended) the public be excluded from the Meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Act

8 License Appeal Report: Mr K v East Suffolk Council, Great Yarmouth Magistrates' Court (October 2020)

- Information relating to any individual.
- Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

The Meeting concluded at 7.23pm

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LICENSING COMMITTEE

Monday, 19 April 2021

Subject	DEPARTMENT FOR TRANSPORT STATUTORY TAXI & PRIVATE HIRE VEHICLE STANDARDS
Report by	Councillor Mary Rudd – Cabinet Member with responsibility for Community Health
Supporting Officer	Chris Bing Legal and Licensing Services Manager 01394 444408 chris.bing@eastsuffolk.gov.uk

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information.	Not applicable .
Wards Affected:	All Wards .

Purpose and high-level overview

Purpose of Report:

To present to the Committee proposals required to meet the Department for Transport's (DfT) 'Statutory Taxi and Private Hire Vehicle Standards' and changes required following a review of existing policy and guidance documents, and to seek approval to consult on these proposals and changes.

Options:

- 1) To consult on the new statutory standards for Hackney Carriage and Private Hire Vehicles
OR
- 2) Not to consult on the new statutory standards for Hackney Carriage and Private Hire Vehicles

Recommendation/s:

That the Committee:

- 1) Considers the assessment of the new statutory standards and the changes to the existing policies and procedures.

AND
- 2) Approves the proposed consultation for the new statutory standards and the changes to the existing policies and procedures.

Corporate Impact Assessment

Governance:

Licensing is a Council function exercised by Licensing Committee and Licensing Sub-Committees.

ESC policies and strategies that directly apply to the proposal:

Safeguarding policy

Criminal convictions policy

Taxi and private hire licensing policy

Environmental:

No impact

Equalities and Diversity:

No impact

Financial:

Some of the national standards, such as the purchase and installation of CCTV in all vehicles, would require significant expenditure by vehicle owners. The safety of the travelling public and drivers must always be prioritised but the imposition of standards to address the identified risk should be proportionate to the level and nature of the

identified risk and the costs which would be incurred in complying with the standard is a relevant consideration here.
Human Resources: No impact
ICT: No impact
Legal: No impact
Risk: The licensing authority needs appropriate standards for taxi and private hire vehicles to protect the public and drivers.

External Consultees:	Authority is being sought to consult with the trade and relevant interest groups on the new standards.
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Strategic Plan Priorities

Select the priorities of the Strategic Plan which are supported by this proposal: (Select only one primary and as many secondary as appropriate)		Primary priority	Secondary priorities
T01	Growing our Economy		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
T02	Enabling our Communities		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input type="checkbox"/>
T03	Maintaining Financial Sustainability		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
T04	Delivering Digital Transformation		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>

P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
T05	Caring for our Environment		
P20	Lead by example	<input type="checkbox"/>	<input type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
XXX	Governance		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input type="checkbox"/>

How does this proposal support the priorities selected?

Licensing plays an important role in the themes in the Council's Strategic Plan of growing our economy and enabling our communities. The proposals in this report seek to review and, where appropriate, raise the standards to which hackney carriage and private hire vehicles are subject. Hackney carriage and private hire vehicles are a key part of the public transport system, enabling people without their own private transport or without easy access to other means of public transport to travel for education, employment, and entertainment, to shop and to attend medical appointments or deliver/receive care.

Background and Justification for Recommendation

1 Background facts	
1.1	The Council is responsible for licensing hackney carriage and private hire drivers and vehicles, and private hire operators. In undertaking those responsibilities, the Council has regard to the legislation in place including case law, relevant guidance, best practice documentation and its own policies and procedures.
1.2	On 21 July 2020 the DfT published 'Statutory Taxi and Private Hire Vehicle Standards'. The Standards are applied to local authorities having regard to the Policing and Crime Act 2017 which enables the Secretary of State for Transport to issue statutory guidance to local authorities as to how taxi (hackney carriage) and private hire licensing should be undertaken to protect children and vulnerable adults when using taxis and private hire vehicles.
1.3	The Standards were presented to the Licensing Committee at its last meeting in January 2021 and approval was given to review the Council's taxi and private hire licensing policy and guidance documents to have regard to the new Standards.

2 Current position	
2.1	A review of the authority's licensing policies and procedures has been undertaken to give consideration to the statutory guidance (the Standards). However, much of what is proposed in the guidance has already been adopted by East Suffolk Council.
2.2	The Suffolk Licensing Officer's Group (SLOG) has continued to work on adopting a common licensing approach based on the statutory guidance. This will ensure that there is a basic and common approach to safeguarding throughout the county. Individual authorities will also retain the discretion to set their own policies to ensure that local standards are not lost.
2.3	Each of the standards set out in the statutory guidance has been assessed in the review and will be subject to consultation with the taxi and private hire trade and various community groups and organisations.
2.4	Whilst carrying out the review, the Licensing Team has taken the opportunity to update and revise any existing conditions, policies and procedures that is deemed necessary and to add any conditions or guidance.

3 How to address current situation	
3.1	An assessment of the standards is provided at Appendix A . There are 3 columns within the assessment summarising the new statutory guidance, East Suffolk Council's current position, and if applicable, the proposed measures to be taken.
3.2	Appendix B is summary of changes that are deemed necessary to update the Council's existing Criminal Convictions policy in line with the new DfT Standards and IoL guidance.
3.3	Proposed changes to existing policies and guidance (over and above what it recommended within the DfT Statutory Taxi and Private Hire Vehicle Standards at Appendix A) is at Appendix C .
3.4	It is proposed to consult the existing taxi and private hire trade within East Suffolk on the new standards set out by the DfT and on the significant changes to the existing policy and procedures.
3.5	It is also proposed to consult the following: Parish and town councils, Suffolk Constabulary Licensing Team, Suffolk County Council Passenger Transport Team, Citizens advice Bureau, and members of the public through the Council's website.

3.6	A consultation of at least four weeks is proposed. Methods of consultation will be via the Council's website and by direct email and mail shots.
3.7	Results of the consultation will be presented to the next meeting of the Licensing Committee in July 2021.

4 Reason/s for recommendation

4.1	It is important to maintain high standards in the district for hackney carriage and private hire vehicles to protect the travelling public and drivers.
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Appendices

Appendices:

Appendix A	Assessment of the Statutory Taxi and Private Hire Vehicle Standards
Appendix B	Updates to Criminal Convictions Policy
Appendix C	Updates to existing taxi and private hire licensing policies and guidance

Background reference papers:

	None	
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Appendix A

Department for Transport (DfT) - Statutory Taxi and Private Hire Vehicle Standards (Published 21 July 2020) East Suffolk Council (ESC) - Assessment Document

Guidance issued under Section 177 of the Policing and Crime Act 2017 has been published by the Department for Transport (DfT). It is referred to as the Statutory Taxi and Private Hire Vehicle Standards. The focus within the standards is on protecting children and vulnerable adults. An assessment of the standards has been undertaken by the Licensing Team and the details of that assessment are summarised below. The Licensing Team has also taken the opportunity to review its current Taxi and Private Hire Licensing policies and guidance and these changes and recommendations can be viewed at **Appendix C**.

There are three columns within this assessment document detailing:

- The Standards recommendations and matters raised.
- East Suffolk Council's current position - including if the Council meets the recommendations.
- If applicable – the proposed action to be taken.

Each item, within the recommendations, has been graded as:

Red (ESC does not currently meet) Amber (ESC partially meets) Green (ESC fully meets)

The Council is aware that the Department for Transport expects the recommendations, contained within the standards document, to be implemented unless there is a compelling local reason not to. The purpose of this assessment document is to publicise this Authority's consideration of the standards as well as providing the necessary update to the Department for Transport.

As of 1 April 2021, East Suffolk Council licences:

Hackney Carriage Vehicle licences 93

Private Hire Vehicle licences 278

Private Hire Vehicle Operator licences 76

Dual Licensed Hackney Carriage and Private Hire Vehicle drivers licences 197

Private Hire Vehicle driver licences 309

Statutory Taxi & Private Hire Vehicle Standards Recommendation/Measures (including Paragraph Numbers)	East Suffolk Council (ESC) Current Position on Meeting the Measures/Recommendations	ESC Proposed Action
<p>Consideration of the Statutory Taxi and Private Hire Vehicle Standards</p> <p>Paragraph 2.8 - Although it remains the case that licensing authorities must reach their own decisions, both on overall policies and on individual licensing matters in light of the relevant law, it may be that the Statutory Taxi and Private Hire Vehicle Standards might be drawn upon in any legal challenge to an authority's practice, and that any failure to adhere to the standards without sufficient justification could be detrimental to the authority's defence. In the interest of transparency, all licensing authorities should publish their consideration of the measures contained in Statutory Taxi and Private Hire Vehicle Standards, and the policies and delivery plans that stem from these. The Department has undertaken to monitor the effectiveness of the standards in achieving the protection of children and vulnerable adults (and by extension all passengers).</p>	<p>Green grading</p>	<p>This document sets out and summarises this Authority's consideration and delivery of the measures set down within the minimum licensing standards.</p>
<p>Administering the Licensing Regime - Licensing Policies</p> <p>Paragraph 3.1 - The Department recommends all licensing authorities make publicly available a cohesive policy document that brings together all their procedures on taxi and private hire vehicle</p>	<p>Green Grading</p> <p>This Authority has comprehensive policy documents in place.</p> <p>The policy documents cover a range of relevant issues including:</p>	<p>This Authority has comprehensive policy documents and guidance in place.</p> <p>It is proposed that the individual policies and guidance will be collated into one taxi and private hire licensing policy.</p>

licensing. This should include but not be limited to policies on convictions, a 'fit and proper' person test, licence conditions and vehicle standards.	<ul style="list-style-type: none"> • Guidelines Relating to Relevance of • Convictions • Fit & Proper Person Test • Driver, Vehicle & Operator Licence • Conditions • Vehicle Requirements & Standards • PHV Licence Plate Exemption • Requirements • Licensing of Limousines. 	
Paragraph 3.5 - One of the key lessons learned is that it is vital to review policies and reflect changes in the industry both locally and nationally. Licensing authorities should review their licensing policies every five years, but should also consider interim reviews should there be significant issues arising in their area, and their performance annually.	Amber Grading	This authority continually reviews and updates its guidance but proposes that a full review is carried out every five years.
Duration of Licences Paragraph 3.7 – The Local Government (Miscellaneous Provisions) Act 1976 sets a standard length at three years for taxi and private hire vehicle drivers and five years for private hire vehicle operators. Any shorter duration licence should only be issued when the licensing authority thinks it is appropriate in the specific circumstances of the case, if a licensee has requested one or where required (e.g. when the licence holder's leave to remain in the UK is time limited) or when the licence is only required	Green Grading This Authority does not issue driver licences on a probationary. We only issue a licence on a short term there are specific and relevant circumstances which warrant such a course of action	No action required

to meet a short-term demand; they should not be issued on a 'probationary' basis.		
Whistleblowing Paragraph 3.8 - Licensing Authorities should have effective internal procedures in place for staff to raise concerns and for any concerns to be dealt with openly and fairly. Paragraph 3.10 - Local authorities should ensure they have an effective whistleblowing policy and that all staff are aware of it. If a worker is aware of, and has access to, effective internal procedures for raising concerns then whistleblowing is unlikely to be needed.	Green Grading ESC has adopted a Whistleblowing Policy and Procedure. The policy is available on the Council's Intranet and it applies to all employees and Officers of the organisation.	No action required
Consultation at the Local Level Paragraph 3.12 - Licensing Authorities should consult on proposed changes in licensing rules that may have significant impacts on passengers and/or the trade. Such consultation should include not only the taxi and private hire vehicle trades but also groups likely to be the trades' customers.	Green Grading This Authority proposes to consult the trade and the wider community on the changes resulting from the new Standards. The taxi and private hire trade have always been consulted on issues that may significantly affect them.	This Authority will review the consultation list on the occasion of each licensing consultation.
Paragraph 3.13 - Any decision taken to alter the licensing regime is likely to have an impact on the operation of the taxi and private hire vehicle sector in neighbouring areas; and licensing authorities should engage with these areas to identify any concerns and issues that might arise from a proposed change.	Green grading The Suffolk Licensing Officers Group (SLOG) meets on a regular basis.	No action required

Many areas convene regional officer consultation groups or, more formally, Councillor liaison meetings; this should be adopted by all authorities.		
Changing licensing policy and requirements Paragraph 3.14 - Any changes in licensing requirements should be followed by a review of the licences already issued.	Amber grading The Council does not currently have a policy in place for ensuring that existing licensed drivers meet any changes to policies such as the Convictions Policy. It does however ensure that existing licensed drivers meet the necessary safeguarding training and DBS check upon renewal of their licence.	This authority proposes that existing licence holders will be reviewed, at the time of licence renewal application, against any new or updated licensing requirements. The case of any driver or operator found not to be achieving the new licensing standard to be brought to a Licensing Sub-Committee for review. In some circumstances, for example a new driver training course, the Council will set a time period by which the requirement has to be achieved.
Paragraph 3.15 - Where there are exceptional, clear and compelling reasons to deviate from a policy, licensing authorities should consider doing so. Licensing authorities should record the reasons for any deviation from the policies in place.	Green Grading As part of this Authority's Licensing Committee procedures reasons are always given and recorded for any deviation from the licensing policies in place.	No action required
Gathering & Sharing Information The Disclosure and Barring Update Service Paragraphs 4.5 and 4.6 - Subscription to the DBS Update Service allows those with standard and enhanced certificates to keep these up to date online and, with the individual's consent, allows nominees to check the status of a certificate	Green Grading On 20 January 2020 the Licensing Committee adopted a policy that subscription to the DBS Update Service would become a mandatory requirement. The Council now requires new applicants and existing licence holders to register for the DBS Update Service. This allows the	No action required

<p>online at any time.</p> <p>The DBS will search regularly to see if any relevant new information has been received since the certificate was issued. The frequency varies depending on the type of information; for criminal conviction and barring information, the DBS will search for updates on a weekly basis. For non-conviction information, the DBS will search for updates every nine months.</p>	<p>Licensing Team to make checks via the Update Service.</p>	
<p>Common Law Police Disclosure</p> <p>Paragraph 4.11 - This procedure provides robust safeguarding arrangements while ensuring only relevant information is passed on to employers or regulatory bodies. Licensing authorities should maintain close links with the police to ensure effective and efficient information sharing procedures and protocols are in place and are being used.</p>	<p>Amber Grading</p> <p>This Authority maintains close links with the police and information is shared.</p>	<p>Whilst information is shared between the Licensing Team and the Police, there is no formal data sharing protocol in place for taxi and private hire licensing (there is for licensed premises). This is something the Suffolk Licensing Officers Group and the police are currently working towards.</p>
<p>Licensee Self-Reporting</p> <p>Paragraph 4.12 - Licence holders should be required to notify the issuing authority within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence. An arrest for any of the offences within this scope should result in a review by the issuing authority as to whether the licence holder is fit to continue to do so.</p>	<p>Amber grading</p> <p>Whilst the Council has a policy for self-reporting, the policy does not currently include for 'arrest and release'.</p>	<p>Minor amendment required to policy to include arrest and release and to add it to the penalty points scheme.</p>
<p>Referrals to the Disclosure and Barring Service and the Police</p> <p>Paragraph 4.14 - A decision to refuse or revoke a licence as the individual is thought to present a</p>	<p>Amber grading</p> <p>Referrals are already made to the DBS and the police. Details of data sharing are included in the</p>	<p>Minor amendment to policy to explain that details will be referred to the DBS and the police where it is thought that an individual could present a risk of harm to a child or vulnerable</p>

<p>risk of harm to a child or vulnerable adult, should be referred to the DBS.</p>	<p>Licensing Team's Privacy Notice, however the policy could be made clearer to explain that details will be shared with DBS and the police where it is deemed necessary.</p>	<p>adult.</p>
<p>Sharing Licensing Information with Other Licensing Authorities</p> <p>Paragraph 4.20 - Applicants and licensees should be required to disclose if they hold or have previously held a licence with another authority. An applicant should also be required to disclose if they have had an application for a licence refused, or a licence revoked or suspended by any other licensing authority. Licensing authorities should explicitly advise on their application forms that making a false statement or omitting to provide the information requested may be a criminal offence.</p>	<p>Green Grading</p> <p>This Authority requires applicants and licence holders to reveal such information. The licence application form makes it clear that making a false statement or omitting to provide the information requested may be a criminal offence.</p>	<p>No action required</p>
<p>Sharing Licensing Information with Other Licensing Authorities</p> <p>Paragraph 4.21 - The LGA's Councillors' Handbook on taxi and private hire vehicle licensing advises that those responsible for licensing should "communicate regularly with licensing committees and officers in neighbouring councils to ensure critical information is shared and that there is a consistency and robustness in decision-making. By working together, local government can make sure that this vital service is safe, respected, and delivering for local communities.". The LGA commissioned the National Anti-Fraud Network</p>	<p>Green Grading</p> <p>On 20 April 2020 the Licensing Committee approved the proposal for ESC to sign up to the NR3. ESC is now signed up to the National Register of Taxi and Private Hire Vehicle Driver Licence Refusals and Revocations (NR3). Use of the register to both enter and to search data will begin imminently.</p>	<p>Continue with progress</p>

to develop a national register of taxi and private hire vehicle driver licence refusals and revocations (the register is known as 'NR3'). Tools such as NR3 should be used by licensing authorities to share information on a more consistent basis to mitigate the risk of nondisclosure of relevant information by applicants.		
Multi-Agency Safeguarding Hub Paragraph 4.28 - All licensing authorities should operate or establish a means to facilitate the objectives of a Multi-Agency Safeguarding Hub (i.e. the sharing of necessary and relevant information between stakeholders).	Green Grading The Licensing Team already has an established means of communication with MASH through the Suffolk Safeguarding Partnership and its Local Authority Designated Officer (LADO). The LADO will provide advice and guidance to employers and voluntary organisations. They liaise with the police and other agencies and monitor the progress of cases to ensure that they are dealt with as quickly as possible, consistently with a thorough, fair and proportionate process. The Council has a Safeguarding Policy and procedures. The policy and procedures are available on the Council's Intranet and it applies to all employees and Officers of the organisation.	No action required
Complaints Against Licensees Paragraph 4.29 - All licensing authorities should have a robust system for recording complaints, including analysing trends across all licensees as well as complaints against individual licensees.	Amber grading The Licensing Team has systems in place for recording complaints, with information being recorded using the Licensing Software/Database packages. Analysis of trends of complaints against individuals does take place as records are	It is proposed to introduce a regular review of complaints across all licensees to analyse and identify any trends.

	<p>maintained against an individual and are continually monitored.</p> <p>The Council also operates a Penalty Point Scheme in order to record misdemeanours by licence holders and to help identify errant licence holders.</p> <p>The regular analysing of any trends across all licensees does not currently take place.</p>	
<p>Paragraph 4.30 - Licensees with a high number of complaints made against them should be contacted by the licensing authority and concerns raised with the driver and operator (if appropriate). Further action in terms of the licence holder must be determined by the licensing authority, which could include no further action, the offer of training, a formal review of the licence, or formal enforcement action.</p>	<p>Green Grading</p> <p>This is the approach adopted by this Authority. In addition this Council has adopted a Penalty Point Scheme in order to record misdemeanours by licence holders and to help identify errant licence holders.</p>	No action required
<p>Paragraph 4.31 - To ensure that passengers know who to complain to, licensing authorities should produce guidance for passengers on making complaints directly to the licensing authority that should be available on their website. Ways to make complaint to the authority should be displayed in all licensed vehicles.</p>	<p>Amber Grading</p> <p>The Council has detailed guidance on its website on how to submit complaints or compliments regarding taxi drivers, private hire drivers & vehicle operators.</p> <p>Ways to make a complaint are not currently displayed in all licensed vehicles.</p>	It is proposed to introduce stickers in all licensed vehicles which display the way to make a complaint to the Licensing Authority.
<p>Overseas Convictions</p> <p>Paragraph 4.35 - Licensing authorities should seek or require applicants to provide where possible criminal records information or a Certificate of Good Character from overseas in this circumstance to properly assess risk and</p>	<p>Green Grading</p> <p>The Council already follows this procedure.</p>	No action required

support the decision-making process.		
Decision Making Administration of the Licensing Framework The taxi and private hire vehicle licensing functions of local councils are non-executive functions i.e. they are functions of the council rather than the executive (such as the Cabinet). The functions include the determination of licence applications, reviews and renewals, along with the attachment of conditions when considered appropriate. The function may be delegated to a committee, a sub-committee or an officer – which should be set out within a clear scheme of delegation.	Green Grading The Council has a scheme of delegation in place.	No action required
Training Decision Makers Paragraph 5.3 - All individuals that determine whether a licence is issued should be required to undertake sufficient training.	Green Grading It is a requirement of this Authority that all Councillors, who sit on the Licensing Committee, must undergo licensing training. There is also a requirement for annual update/refresher training. All Officers, that determine licence applications under delegated powers, undergo licensing training. The latest training was provided by the Institute of Licensing	No action required
The Regulatory Structure Paragraph 5.11 - All licensing authorities should consider arrangements for dealing with serious matters that may require the immediate revocation of a licence.	Green Grading The Council has such an arrangement and scheme of delegation in place.	No action required

<p>Fit and Proper Test</p> <p>Paragraph 5.12 - Licensing authorities have a duty to ensure that any person to whom they grant a taxi or private hire vehicle drivers licence is a 'fit and proper' person to be a licensee. It maybe helpful when considering whether an applicant or licensee is fit and proper to pose oneself the following question: 'Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time day or night'? If on the balance of probabilities, the answer to the question is NO the individual should not hold a licence.</p>	<p>Green grading</p> <p>This point is covered by the training given to the Council's decision makers</p>	<p>It is proposed to include the statement: 'Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time day or night'? If on the balance of probabilities, the answer to the question is NO the individual should not hold a licence" be included in the Council's policy.</p>
<p>Paragraph 5.14 - All decisions on the suitability of an applicant or licensee should be made on the balance of probability. This means that an applicant or licensee should not be 'given the benefit of doubt'. If the committee or delegated officer is only "50/50" as to whether the applicant or licensee is 'fit and proper', they should not hold a licence. The threshold used here is lower than for a criminal conviction (that being beyond reasonable doubt) and can take into consideration conduct that has not resulted in a criminal conviction.</p>	<p>Green grading</p> <p>This point is covered by the training given to the Council's decision makers</p>	<p>Ensure that training material continues to cover this point.</p>
<p>Criminal Convictions & Rehabilitation</p> <p>Assessment of Previous Convictions</p>	<p>Amber grading</p> <p>The Council does have a Relevant Criminal</p>	<p>It is proposed to update the Council's current Relevant Criminal Convictions policy to bring it in line with the DFT recommendations which draw</p>

In order to achieve consistency, and to mitigate the risk of successful legal challenge, licensing authorities should have a clear policy for the consideration of criminal records. This should include, for example, which offences would prevent an applicant from being licenced regardless of the period elapsed in all but truly exceptional circumstances. In the case of lesser offences, a policy should consider the number of years the authority will require to have elapsed since the commission of particular kinds of offences before they will grant a licence.	Convictions policy for the consideration of criminal records. However, this requires updating to bring in line with the DfT Standards.	upon the work of the Institute of Licensing in partnership with the LGA, the National Association of Licensing Enforcement Officers and Lawyers in Local Government.
Criminality Checks for Drivers Paragraph 6.1 - Licensing authorities are entitled to request an enhanced criminal record certificate with check of the barred lists from the DBS for all driver licence holders or applicants.	Green Grading The Council always requires an Enhanced Criminal Record Certificate (with checks of the barred lists) from the DBS for all driver licence holders or driver licence applicants	No action required
Paragraph 6.2 - All licensed drivers should also be required to evidence continuous registration with the DBS update service to enable the licensing authority to routinely check for new information every six months. Drivers that do not subscribe up to the Update Service should still be subject to a check every six months.	Amber grading The Council now requires applicants and licence holders and applicants for licence renewal to register for the DBS's update service and to nominate the Licensing Authority to receive updates. However it does not currently request that drivers evidence that they have a continuous registration and does not currently carry out checks every 6 months.	It is proposed to require drivers to evidence that they have registered to the update service and have a continuous registration. This will be borne out by carrying out checks every 6 months. Those found not to have signed up to the Update Service, or have let it lapse, will be required to complete a new DBS application form with the cost to be borne by themselves.
Paragraph 6.3 - In the interests of public safety, licensing authorities should not, as part of their policies, issue a licence to any individual that appears on either barred list. (unless there are exceptional circumstances).	Amber grading This Council does not issue a licence to a person on either barred list unless there are exceptional and compelling circumstances. However this is	It is proposed to include a statement in the new policy that the Council will not issue a licence to any individual that appears on either barred list unless there are exceptional circumstances.

	not documented in our Policy of relevant convictions or our general licensing policy.	
Safeguarding Awareness Paragraph 6.7 - All licensing authorities should provide safeguarding advice and guidance to the trade and should require taxi and private hire vehicle drivers to undertake safeguarding training.	Green Grading The Council has a mandatory requirement for taxi and private hire drivers to undertake safeguarding training. This is by way of an online module in partnership with Barnardos.	No action required
County Lines Exploitation Paragraph 6.11 - Safeguarding awareness training should include the ways in which drivers can help to identify county lines exploitation.	Amber grading The Council's safeguarding training does not currently cover county lines exploitation. However, the Licensing Team is currently corresponding with Ipswich New College and East Coast College, Lowestoft regarding a new college based course that will include this topic.	It is proposed that a new driver safeguarding training course will include the topic of county lines exploitation. All new applicants and all existing licensed drivers would be expected to undertake the course. This course will be the same across the Suffolk local authorities so would achieve consistency.
Language Proficiency A lack of language proficiency could impact on a driver's ability to understand written documents, such as policies and guidance, relating to the protection of children and vulnerable adults and applying this to identify and act on signs of exploitation. Oral proficiency will be of relevance in the identification of potential exploitation through communicating with passengers and their interaction with others. Paragraph 6.15 - A licensing authority's test of a driver's proficiency should cover both oral and written English language skills to achieve the objectives stated above.	Green Grading All driver licence applicants to the Council must successfully undergo a mandatory communications assessment – the assessment covers both oral and written English language skills.	No action required
Vehicle Licensing	Red Grading	It is proposed to introduce an annual DBS basic disclosure for vehicle proprietors.

<p>Criminality Checks for Vehicle Proprietors - Paragraphs 7.2 - Licensing authorities should require a basic disclosure from the DBS and that a check is undertaken annually.</p> <p><i>N.B. – This relates to licensed vehicle proprietors who are not a licensed driver.</i></p>	<p>The Council does not currently require a Basic Disclosure Check from the DBS for its licensed vehicle proprietors.</p>	
<p>Paragraph 7.4 - A refusal to licence an individual as a driver or to suspend or revoke a driver licence does not automatically mean that that individual cannot be issued or continue to hold a vehicle or private hire vehicle operator licence; these decisions must be independent of a driver licence refusal and based on the appropriate information.</p>	<p>Red grading</p> <p>This licensing matter is not specifically detailed in the Council's licensing policy.</p>	<p>The Council's licensing policy will be reviewed with a view to including this matter/statement.</p>
<p>Paragraph 7.5- Private hire vehicle operator and vehicle licences may be applied for by a company or partnership; licensing authorities should apply the 'fit and proper' test to each of the directors or partners in that company or partnership. For this to be effective private hire vehicle operators and those to whom a vehicle licence should be required to advise the licensing authority of any change in directors or partners.</p>	<p>Green Grading</p> <p>The Council applies the fit and proper test to each of the directors or partners if the licence applicant/holder is a company or partnership. Licence holders are required to advise the Licensing Authority of any change in directors or partners.</p>	<p>No action required</p>
<p>In Vehicle Visual and Audio Recording – CCTV Paragraph 7.9 - All licensing authorities should consult to identify if there are local circumstances which indicate that the installation of CCTV in vehicles would have either a positive or an adverse net effect on the safety of taxi and private hire vehicle users, including children or vulnerable adults, and taking into account potential privacy issues.</p>	<p>Amber Grading</p> <p>CCTV is not a compulsory requirement in East Suffolk Council's licensed taxis and private hire vehicles. At present licensed drivers can choose whether or not to have CCTV in their licensed vehicles.</p>	<p>It is proposed to carry out a consultation exercise with interested parties on the subject of CCTV in licensed vehicles. However, it is important to note that there is no current evidence of a prevalence of crimes being committed within taxis and private hire vehicles licensed with this Authority.</p>

Imposition of a blanket requirement to attach CCTV as a condition to a licence is likely to give rise to concerns about the proportionality of such an approach and will therefore require an appropriately strong justification and must be kept under regular review.		
Stretched Limousines Paragraph 7.14 - It is the DfT's view that it is not a legitimate course of action for licensing authorities to adopt policies that exclude limousines as a matter of principle thereby excluding these services from the scope of the private hire vehicle regime and the safety benefits this provides. A blanket policy of excluding limousines may create an unacceptable risk to the travelling public, as it may lead to higher levels of unsupervised operation. Public safety considerations are best supported by policies that allow respectable, safe operators to obtain licences on the same basis as other private hire vehicle operators.	Green Grading The Council already licences stretched limousines. There is currently one such licensed vehicle.	No action required.
Private Hire Vehicle Operator Licence Criminality Checks for Private Hire Vehicle Operators Paragraph 8.2 - - Licensing authorities should request a basic disclosure from the DBS and that a check is undertaken annually.	Green Grading This Authority has adopted such a licensing requirement.	No action required
Paragraph 8.5 - A private hire vehicle operator licence may be applied for by a company or	Green Grading	No action required

partnership; licensing authorities should apply the 'fit and proper' test to each of the directors or partners in that company or partnership. For this to be effective private hire vehicle operators should be required to advise the licensing authority of any change in directors or partners.	The Council applies the fit and proper test to each of the directors or partners if the licence applicant/holder is a company or partnership. Licence holders are required to advise the Licensing Authority of any change in directors or partners.	
Booking & Dispatch Staff Paragraph 8.8 - Licensing authorities should be satisfied that private hire vehicle operators can demonstrate that all staff that have contact with the public and/or oversee the dispatching of vehicles do not pose a risk to the public. Licensing authorities should, as a condition of granting an operator licence, require a register of all staff that will take bookings or dispatch vehicles is kept.	Red grading The Council does not currently have a condition on a Private Hire Operators licence to provide a register of all staff that will take bookings or dispatch vehicles.	It is proposed to introduce a condition on a Private Hire Operators licence that will require the operator to provide a register of all staff involved with taking bookings and dispatching vehicles.
Paragraphs 8.9 - Operators should be required to evidence that they have had sight of a Basic DBS check on all individuals listed on their register of booking and dispatch staff and to ensure that Basic DBS checks are conducted on any individuals added to the register and that this is compatible with their policy on employing ex-offenders.	Red grading The Council does not currently require such evidence.	It is proposed to introduce a condition on a Private Hire Operators licence that will require the operator to provide evidence that they have had sight of a Basic DBS check on all individuals listed on their register of booking and dispatch staff.
Paragraph 8.12 -Licensing authorities should also require operators or applicants for a licence to provide their policy on employing ex-offenders in roles that would be on the register as above. As with the threshold to obtaining a private hire vehicle operators' licence, those with a conviction for some offences, other than those relating to driving,	Red grading The Council does not currently require Private Hire Operators to provide their policy on employing ex-offenders.	It is proposed to introduce a condition on a Private Hire Operators licence that will require the operator to provide such a policy.

may not be suitable to decide who is sent to carry a child or vulnerable adult unaccompanied in a car.		
Record Keeping Paragraph 8.13 - Licensing authorities should as a minimum require private hire vehicle operators to record the following information for each booking: <ul style="list-style-type: none"> • the name of the passenger • the time of the request • the pick-up point • the destination • the name of the driver • the driver's licence number • the vehicle registration number of the vehicle • the name of any individual that responded to the booking request • the name of any individual that dispatched the vehicle. 	Amber grading The Council does not currently request that a Private Hire Operators record all of the information suggested by DfT.	It is proposed to add the following to the records that are required to be kept by a Private Hire Operator – <ul style="list-style-type: none"> • the driver's licence number • the vehicle registration number of the vehicle • the name of any individual that responded to the booking request • the name of any individual that dispatched the vehicle.
Use of Passenger Carrying Vehicle (PCV) Licensed Drivers Paragraphs 8.16 - The use of a driver who holds a PCV licence and the use of a public service vehicle (PSV) such as a minibus to undertake a private hire vehicle booking should not be permitted as a condition of the private hire vehicle operator's licence without the informed consent of the booker. Where a private hire vehicle is unsuitable, for example where a larger vehicle is needed because more than eight passenger seats required or to accommodate luggage, the booker should be informed that a	Red grading The Council does not currently require a Private Hire Operator as a condition on their licence to inform and obtain informed consent of the booker.	It is proposed to make this a condition on the Private Hire Operator licence.

PSV is necessary, and that a PCV licenced driver will be used who is subject to different checks and not required to have an enhanced DBS check.		
Enforcing the Licensing Regime Joint Authorisation of Enforcement Officers Paragraph 9.2 - Licensing authorities should, where the need arises, jointly authorise officers from other authorities so that compliance and enforcement action can be taken against licensees from outside their area.	Amber grading This matter has been discussed at the Suffolk Licensing Officers Group and it has been agreed that there is no strong or specific evidence of such formal joint authorisations being required within the county of Suffolk. Licensing Teams across Suffolk already work very closely together and pass on information of any enforcement issues occurring in their own area to the authority within which the driver and vehicle is licensed.	No specific action required other than to continue the good working relationship of the Suffolk Licensing Officers.
Setting Expectations and Monitoring Paragraph 9.4 - The provision of a clear, simple and well-publicised process for the public to make complaints about drivers and operators will enable authorities to target compliance and enforcement activity	Green Grading The Council has detailed guidance on its website on how to submit complaints or compliments regarding taxi drivers, private hire drivers and vehicle operators.	No action required
Suspension and Revocation of Driver Licences Paragraph 9.6 - Where the licence holder has been served an immigration penalty or convicted of an immigration offence the licence should be revoked immediately.	Red Grading Such penalties or offences are not currently specifically detailed in the Council's licensing policy.	It is proposed to introduce such penalties and offences within the Criminal Convictions Policy

Appendix B

Proposed changes to existing Criminal Convictions Policy (currently called Statement of Policy about Relevant Convictions)

The proposed changes take into account the recommendations by the DfT in their 'Statutory Taxi and Private Hire Vehicle Standards' and the Institute of Licensing's 'Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades'.

Current statement	Proposed change
General A person with a current conviction for a serious crime need not be permanently barred from obtaining a licence but should expect to remain free from a conviction for 3 – 5 years, according to the circumstances, before an application is entertained.	3 – 5 years to be replaced with 'a suitable period of time, detailed later in this policy'. It is important to recognise that matters which have not resulted in a criminal conviction (whether that is the result of an acquittal, a conviction being quashed, decision not to prosecute or an investigation which is continuing where the individual has been bailed) can and will be taken into account by the licensing authority. In addition, complaints where there was no police involvement will also be considered. A caution, fixed penalty, and community resolution will also be considered.
Minor Traffic Offences Isolated convictions for minor traffic offences should not prevent a person from proceeding with an application. However, the number, type and frequency of this type of offence will be taken into account and if there are several offences of this nature the applicant will normally be expected to show a period free of conviction of at least 6 months. In particular, an application will normally be refused where the applicant has 12 or more penalty points on his D.V.L.A. licence (whether or not the applicant was convicted by a court for the offences for which the points were imposed) or where the applicant has more than one conviction for this type of offence within the last 6	Driving offences involving the loss of life A very serious view is to be taken of any applicant who has been convicted of a driving offence that resulted in the loss of life. A licence will not be granted if an applicant has a conviction for: Causing death by dangerous driving Causing death by careless driving whilst under the influence of drink or drugs Causing death by careless driving Causing death by driving: unlicensed, disqualified or uninsured. Or any similar offences (including attempted or conspiracy to commit) or offences which replace the above.

months.

Major Traffic Offences

An isolated conviction, without disqualification, for a major traffic offence will require careful consideration of the facts and will at the very least merit a warning as to future driving and advice on the standard expected of hackney carriage and private hire vehicle drivers. However, where the conviction is within 6 months prior to the date of application, or where there is more than one conviction of this type of offence within the last 2 years, the application will normally be refused and no further application should be considered until a period of 3 years, free from convictions, has elapsed.

Other traffic offences

Hackney carriage and private hire drivers are professional drivers charged with the responsibility of carrying the public. Any motoring conviction demonstrates a lack of professionalism and will be considered seriously. It is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence would not prohibit the granting of a licence or may not result in action against an existing licence. However, applicants with multiple motoring convictions may indicate that an applicant does not exhibit the behaviours of a safe road user and one that is suitable to drive professionally.

Major traffic offences

Where an applicant has isolated conviction, without disqualification, for an offence such as dangerous driving and driving without due care and attention a period of 3 years free from conviction will be required before an application will be considered. Applications where there is more than one conviction for this type of offence within the last 5 years will normally be refused

Minor traffic offences

More than one conviction/caution for a minor traffic offence, including a driver awareness course, within the last 2 years will normally merit refusal of a new application and a further application should not normally be considered until a period of at least 3 years, free from convictions/cautions/endorsements, has elapsed.

Where an existing licensed driver receives 9 points or above on their DVLA licence, they will be expected to undertake a driving standards assessment with the council's approved assessor or one of their approved assessor companies. The cost of the assessment

	<p>must be borne by the licensed driver.</p> <p>Any motoring conviction while a licensed driver demonstrates that the licensee may not take their professional responsibilities seriously. However, it is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence may not necessitate the revocation of a taxi or private hire vehicle driver licence providing the authority considers that the licensee remains a fit and proper person to retain a licence. Subsequent convictions reinforce the fact that the licensee does not take their professional responsibilities seriously and appropriate enforcement action will be taken.</p>
<p>Disqualification and Totting Up</p> <p>Where a period of disqualification has been imposed, an application will not be considered until the D.V.L.A. driving licence has been restored for a period of 12 months and no further motoring conviction has been endorsed on it in that period. Should the D.V.L.A. licence demonstrate a further conviction since the disqualification period, then a 12 month period must elapse from the date of the last conviction on the D.V.L.A. licence before an application is approved.</p> <p>In 'totting-up' cases where disqualification is considered by the court, even if the court does not disqualify a driver (eg because of exceptional circumstances) the Council is likely to refuse a hackney carriage or private hire driver's licence application and the applicant will normally be expected to show a period of 12 months free from conviction from the date the court made its finding of exceptional circumstances justifying the non-disqualification.</p>	<p>TT99 Totting up – if the total of penalty points reaches 12 or more within 3 years the driver is liable to disqualification by the Court.</p> <p>There may be occasions where an applicant has accrued sufficient points under totting up for the Court to consider disqualification, but successfully argues that exceptional hardship/circumstances should apply.</p> <p>Where the court does not disqualify a driver (because of exceptional circumstances) an applicant will be expected to show a period of 2 years free from conviction from the date the court made its findings of exceptional circumstances justifying the non-disqualification.</p> <p>Where disqualification does occur for 'totting up' the Council is likely to refuse a hackney carriage or private hire driver's licence application and an application will not be considered until the DVLA driving licence has been restored for a period of 2 years and no further motoring conviction has been endorsed on it in that</p>

	period.
<p>Dishonesty</p> <p>Hackney carriage and private hire vehicle drivers are expected to be persons of trust. The widespread practice of delivering unaccompanied property is indicative of the trust that business people place in drivers. Moreover, it is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal fare etc. Overseas visitors can be confused by the change in currency and become "fair game" for an unscrupulous driver. A serious view will therefore be taken of any conviction involving dishonesty. In general, a period of 3 to 5 years free of conviction should be required before entertaining an application.</p>	<p>Where an applicant has a conviction for any offence of dishonesty, or any offence where dishonesty is an element of the offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.</p> <p>Offences involving dishonesty include:</p> <ul style="list-style-type: none"> • Theft • Burglary • Fraud • Benefit fraud • Handling and receiving stolen goods • Forgery • Conspiracy to defraud • Obtaining money or [property by deception • Other deception • Taking a vehicle without consent • Any similar offences (including attempted or conspiracy to commit) • Or offences which replace the above
<p>Drugs</p> <p>A serious view should be taken of convictions of driving or being in charge of a vehicle while under the influence of drink or drugs. An isolated incident should not necessarily debar an applicant but strict warnings should be given as to future behaviour.</p> <p>More than one conviction for these offences should raise grave doubts as to the applicant's fitness to hold a licence. At least 3 years should elapse (after the restoration of the driving licence) before an applicant is considered for a licence.</p>	<p>Where an applicant has any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with intent to supply, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.</p> <p>Where an applicant has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least five years have elapsed since the completion of any sentence imposed. In these circumstances, any applicant may also have to undergo drugs testing for a period at their own expense to</p>

	demonstrate that they are not using controlled drugs.
<p>Drink driving/driving under the influence of drugs</p> <p>A serious view should be taken of convictions of driving or being in charge of a vehicle while under the influence of drink or drugs. An isolated incident should not necessarily debar an applicant but strict warnings should be given as to future behaviour.</p> <p>More than one conviction for these offences should raise grave doubts as to the applicant's fitness to hold a licence. At least 3 years should elapse (after the restoration of the driving licence) before an applicant is considered for a licence.</p>	<p>Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not be granted until at least seven years have elapsed since the completion of any sentence or driving ban imposed. In the case of driving under the influence of drugs, any applicant may also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.</p>
<p>Indecency offences</p> <p>An application will not be considered until a period of 3 years free of conviction is shown and any application with a conviction within this category will be put before the Licensing Sub-Committee for determination.</p>	<p>Sexual and indecency offences</p> <p>Where an applicant has a conviction for any offence involving or connected with illegal sexual activity or any form of indecency, a licence will not be granted.</p> <p>In addition to the above, the licensing authority will not grant a licence to any applicant who is currently on the Sex Offenders Register or on any barred list.</p>
<p>Violence</p> <p>An application will not be considered until a minimum period of 3 years free of conviction is shown with the exception of Using Threatening, Abusive Words or behaviour, Breach of the Peace or Drunk and Disorderly, when 2 years for a single offence will be the appropriate period.</p>	<p>Offences involving violence against the person</p> <p>Where an applicant has a conviction for an offence of violence against the person, or connected with any offence of violence, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.</p> <p>An application will be refused if the applicant has a conviction for an offence that involved the loss of life. A licence will not be granted for an offence such as:</p> <ul style="list-style-type: none"> Murder Manslaughter Manslaughter or culpable homicide while driving Terrorism offences Or any similar offence (including attempted or conspiracy to commit)

	<p>Offences which replace the above.</p> <p>A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s) which replace the below offences and the conviction is less than 10 years prior to the date of application:</p> <ul style="list-style-type: none"> • Arson • Malicious wounding • Actual bodily harm which is racially aggravated • Grievous bodily harm • Robbery • Possession of firearm • Riot • Assault Police • Common assault with racially aggravated • Violent disorder • Resisting arrest • Or any similar offences (including attempted or conspiracy to commit), or • offences which replace the above <p>A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s) which replace the below offences and the conviction is less than 5 years prior to the date of application:</p> <ul style="list-style-type: none"> • Racially-aggravated criminal damage • Racially-aggravated offence • Or any similar offences (including attempted or conspiracy to commit) • <p>A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s) which replace the</p>
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	<p>below offences and the conviction is less than 7 years prior to the date of application:</p> <ul style="list-style-type: none"> • Common assault • Assault occasioning actual bodily harm • Affray • S5 Public Order Act 1986 offence (harassment, alarm or distress) • S.4 Public Order Act 1986 offence (fear of provocation of violence) • S4A Public Order Act 1986 offence (intentional harassment, alarm or distress) • Obstruction • Possession of offensive weapon • Criminal damage • Any similar offences (including attempted or conspiracy to commit) or • offences which replace the above • <p>A licence will not normally be granted if an applicant has more than one conviction for an offence of a violent nature in the last 10 years.</p>
	<p>ADDITIONAL SECTIONS</p> <p>Options when determining an application/existing licence</p> <p>When determining an application or reviewing an existing licence in relation to convictions or other relevant information the Council have the following options:</p> <ul style="list-style-type: none"> • grant the licence or take no further action • grant the licence with additional conditions • refuse, revoke, or suspend the licence • issue a warning which may include the use of enforcement penalty points

	<p>If a licence holder's conduct is such that, were they to be applying for a new licence their application would normally be refused, they should expect consideration to be given as to the suspension or revocation of their licence.</p> <p>Crimes resulting in death</p> <p>Where an applicant or licensee has been convicted of a crime which resulted in the death of another person or was intended to cause the death or serious injury of another person they will not be licensed.</p> <p>Exploitation</p> <p>Where an applicant or licensee has been convicted of a crime involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or children, they will not be licensed. This includes slavery, child sexual abuse, exploitation, grooming, psychological, emotional or financial abuse, but this is not an exhaustive list.</p> <p>Possession of a weapon</p> <p>Where an applicant has a conviction for possession of a weapon or any other weapon related offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.</p> <p>Discrimination</p> <p>Where an applicant has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.</p> <p>Using a hand-held device whilst driving</p> <p>Where an applicant has a conviction for using a held-hand mobile</p>
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	<p>telephone or a hand-held device whilst driving, a licence will not be granted until at least five years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later.</p> <p>Hackney Carriage and Private Hire licensing offences Offences under taxi and private hire and associated legislation such as plying for hire without a licence, overcharging and refusing to carry disabled persons would normally prevent a licence being granted or renewed until a period of 3 years has passed since conviction.</p> <p>Where an applicant has a conviction for an offence concerned with or connected to hackney carriage or private hire activity (excluding vehicle use), a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.</p> <p>Vehicle use offences Where an applicant has a conviction for any offence which involved the use of a vehicle (including hackney carriages and private hire vehicles), a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.</p> <p>Vehicle proprietors and Private Hire Operators A private hire operator (“an operator”) does not have direct responsibility for the safety of passengers, other road users or direct contact with passengers who are in the private hire vehicle (except where they are also licensed as a private hire driver). However, in performing their duties they obtain and hold considerable amounts of personal and private information about their passengers which must be treated in confidence and not revealed to others, or used by the operator or their staff for</p>
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	<p>criminal or other unacceptable purposes.</p> <p>Vehicle proprietors (both hackney carriage and private hire) have two principal responsibilities. Firstly, they must ensure that the vehicle is maintained to an acceptable standard at all times and secondly, they must ensure that the vehicle is not used for illegal or illicit purposes.</p> <p>Where an applicant/licence holder for either a vehicle licence or private hire operator licence has more than one conviction, serious consideration will need to be given as to whether they are a fit and proper person to be granted or retain a licence.</p>
	<p>Immigration</p> <p>Licensing authorities have the option to suspend or revoke a licence should information be received that causes concern over whether a driver is a fit and proper person. Where the licence holder has been served an immigration penalty or convicted of an immigration offence the licence should be revoked immediately. Guidance for licensing authorities to prevent illegal working in the taxi and private hire vehicle sector has been issued by the Home Office. As with the initial decision to license a driver, this determination must be reached based on the balance of probabilities, not on the burden of beyond reasonable doubt.</p>
	<p>Insurance offences</p> <p>A serious view will be taken of convictions for driving, being in charge of a vehicle without insurance, or allowing person to drive whilst uninsured. A previous isolated incident will not necessarily stop a licence being granted provided an individual has been free of conviction for 3 years. However strict warning should be given as to future behaviour. More than one conviction for these offences will prevent a licence being granted or</p>

	<p>renewed.</p> <p>An operator found guilty of aiding and abetting the driving of passengers for hire and reward without insurance will have his Operator's Licence reviewed with a view to revocation and will not be permitted to hold a licence for a period of at least 3 years from the date of any revocation.</p> <p>Where a specific offence is not mentioned, a suitable period of time will be determined by reference to offences described. The Council reserves the right to refuse a licence where there are aggravating circumstances, even where these guidelines would otherwise indicate that a licence might be granted.</p> <p>Summary</p> <p>A criminal history in itself may not automatically result in refusal and a current conviction for a serious crime need not bar an applicant permanently from becoming licensed. In most cases, an applicant would be expected to have remained free from conviction for 3 to 10 years, according to circumstances, before an application can be considered. If there is any doubt about the suitability of an individual to be licensed, the Council will be mindful of the need to protect the public and caution will be exercised.</p> <p>While it is possible that an applicant may have a number of convictions that, individually, do not prevent a licence from being granted, the overall offence history will be considered when assessing an applicant's suitability to be licensed. A series of offences over a period of time is more likely to give cause for concern than an isolated minor conviction. Some discretion may be afforded if an offence disclosed is isolated and there are mitigating circumstances, but the overriding consideration is the protection of the public.</p>
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Appendix C

Proposed changes to existing policies and guidance (over and above what it recommended within the DfT Statutory Taxi and Private Hire Vehicle Standards at Appendix A)

Current requirement	Proposed change or addition
Refresher Training for Drivers No current requirement	Drivers applying to renew their private hire or hackney carriage driver's licence will be required to undertake refresher training with regard to Safeguarding, Disability Awareness and Child Sexual Exploitation. This is to ensure that drivers/applicants are receiving the most up to date information. The training will be expected to take place during the 3 months before renewal and the cost must be borne by the licence holder. The licence will not be renewed if this training is not completed. Failure to complete the training will result in referral to the Licensing Sub-committee.
Additional training for drivers of wheelchair accessible vehicles No current requirement	Drivers of wheelchair accessible vehicles will be required to undertake specific 'practical' training with regard to disability awareness and how to safely load, secure and unload wheelchair passengers. This training must be carried out at the driver's expense and a pass certificate must be presented to the Council upon application or within 3 months of a driver acquiring a wheelchair accessible vehicle.
Fares No specific statement	<p>Licensed drivers must not, if driving a licensed vehicle fitted with a taximeter, cause the fare to be cancelled or concealed until the hirer has had the opportunity of examining it and has paid the fare.</p> <p>Licensed drivers must not demand from any hirer of a licensed vehicle a fare in excess of any previously agreed for that hiring between the hirer</p>

	and the operator or if the vehicle is fitted with a taximeter, and there has been no previous agreement as to the fare, the fare shown on the face of the taximeter.
DVLA Checks An applicant will be required to provide a share code in order that the Council can make checks with DVLA regarding the validity of the licence. An applicant can obtain this by going onto the DVLA website. By entering their driver number (on DVLA driving licence), their postcode and their National Insurance number an applicant can obtain a 'share information code' which must be given to the Council. If there are endorsements on the DVLA driving licence, the application may have to be determined by a Licensing hearing.	Additional text: Officers may request a further check/report at any time during the period of the licence if it is felt necessary. Any refusal to grant authorisation for such a check/report will lead to refusal to grant/renew or suspension/revocation of a hackney carriage or private hire driver's licence.
Vehicle mechanical inspections Any vehicle which is to be licensed must comply with the Council's Manual of Inspections Standards. The Council has appointed agency garages to carry out vehicle checks and ensure that the standards set out in the manual are complied with. A fee will be payable by the licensee directly to the agency garage for each test or re-test. Tests are carried out annually on the initial application and then on each renewal. 'Mid-term' tests are also required thus meaning that a vehicle is tested every six months	Additional text: A mechanical inspection certificate is valid for 6 weeks from the test date. The mechanical test should therefore not be carried out any earlier than 6 weeks before the due date.
Lost property (Contained within current Byelaws and driver conditions) Provisions securing the safe custody and re-delivery of any property accidentally left in hackney carriages, and fixing the charges to be made in respect thereof. 16. The proprietor or driver of a hackney carriage shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the carriage for any property which may have been accidentally left therein. 17. The proprietor or driver of a hackney carriage shall, if any property accidentally left therein by any person who may have been conveyed in	Any change to the lost property section will require a legal process to amend the Byelaws. Any change will also be reflected in the driver conditions. Suggested wording: After every hiring the driver should search the vehicle for any property which may have been accidentally left therein. Any items of value, such as laptops, mobile phones, cameras and high value items, should be reported to the police. Suffolk Constabulary have an online reporting system for lost and found property. The items

<p>the carriage be found by or handed to him:-</p> <p>a) carry it as soon as possible and in any event within 48 hours, if not sooner claimed by or on behalf of its owner, to the office of the Council, and leave it in the custody of the officer in charge of the office on his giving a receipt for it; and</p> <p>b) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the office of the Council, whichever be the greater) but not more than five pounds.</p>	<p>should then be taken to a police station.</p> <p>Items of low value, such as clothing, books and umbrellas should be retained by the driver, if a hackney carriage driver, for a period of 28 days. If a private hire driver, the driver should give the item to his private hire operator to retain for a period of 28 days.</p> <p>Every effort should be made to contact the passenger/hirer to arrange collection/return of the item.</p>
<p>Driver assessment</p> <p>A driving assessment must be completed to ensure the applicant is competent in vehicular control and is able to carry out manoeuvres smoothly and safely. Part of the assessment includes a knowledge test to demonstrate the applicant has adequate knowledge of the legislation and licensing requirements.</p>	<p>Applicants will be permitted to take the knowledge test a maximum of three times and if it is not passed at the third attempt, they will be required to wait for a period of 6 months before re-taking the assessment.</p>
<p>Right to remain and work in the UK</p> <p>If the applicant is a foreign national, documentary evidence of entitlement to work in the United Kingdom will be required. Applicants from countries within the European Economic Area (EEA) and Switzerland must produce one of the following documents:</p> <p>1. United Kingdom of Great Britain and Northern Ireland passport (Red)</p> <p>British passport (Blue)</p> <p>2. A passport or national identity card showing that the holder is a national of a European Economic Area country or Switzerland.</p> <p>3. A residence permit, registration certificate, or document certifying or indicating permanent residence issued by the Home Office or the Border & Immigration Agency to a national of a EEA country or</p>	<p>All applicants must provide evidence of their right to work in the UK. This is required for the first application and all renewals.</p> <p>The list below states what evidence needs to be provided to prove the applicant has a right to remain and work in the UK, this list is not exhaustive and other documents may be accepted (please follow this link: https://www.gov.uk/government/organisations/uk-visas-and-immigration)</p> <ul style="list-style-type: none"> • A UK passport confirming that the holder is a British Citizen (or citizen of another EEA country – including Switzerland). • Passport or other travel document endorsed to show that the holder is allowed to stay in the United Kingdom and undertake paid employment

<p>Switzerland</p> <p>4. A passport or other travel document endorsed to show that the holder is exempt from immigration control.</p> <p>One of these single documents must be produced or a combination of two documents as listed in the booklet "Prevention of Illegal Working" by the Border & Immigration Agency.</p> <p>Applicants from countries not within the EEA must produce (until they can subsequently produce one of the above documents) other documented evidence to indicate leave to enter or remain within the UK for a limited time.</p> <p>If in any doubt about an individual, the Council's licensing staff may carry out checks with the Home Office Border & Immigration Agency.</p>	<ul style="list-style-type: none"> • Full UK birth or adoption certificate. • An immigration document issued by the Border and Immigration Agency to the holder which indicates that the person named in it can stay in the United Kingdom and undertake paid employment. • A work permit or other approval to take employment issued by the Home Office or the Border and Immigration Agency when produced in combination with either a passport or another travel document endorsed to show the holder is allowed to stay in the United Kingdom and is allowed to undertake paid employment. If in any doubt about an individual, the Council's licensing staff may carry out checks with the Home Office Border and Immigration Agency. <p>New applicants and existing licensed holders may be required to share details of their status using the Home Office online status service 'View and Prove your Settled and Pre-settled Status' – www.gov.uk/view-your-settled-status.</p> <p>Where an applicant is subject to immigration controls, a licence will not be issued for longer than the period that the applicant has permission to undertake paid employment in the UK.</p>
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LICENSING COMMITTEE

Monday, 19 April 2021

Subject	REVIEW OF THE STRUCTURE AND SETTING OF HACKNEY CARRIAGE FARES IN EAST SUFFOLK
Report by	Councillor Mary Rudd – Cabinet Member with responsibility for Community Health
Supporting Officer	Chris Bing Legal and Licensing Services Manager 01394 444408 chris.bing@eastsuffolk.gov.uk

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information.	Not applicable.
Wards Affected:	All Wards .

Purpose and high-level overview

Purpose of Report:

To report to Licensing Committee the outcome of the recent consultation exercise on the options for the structuring and setting of Hackney Carriage tariffs in East Suffolk and to agree future arrangements.

Options:

1) Tariff tables

Should the existing arrangement of 2 separate tariff tables (one for the North of the district and one for the South of the district) continue or should there be one tariff table for the whole of the East Suffolk Council district?

2) Tariff timings

If there is to be one tariff table for the whole of the district, what should the timings be for the different tariffs?

3) Tariff reviews

Should the existing custom and practice for tariff reviews continue, whereby the trade proposes a new tariff table for the licensing authority to approve and consult on as and when they consider that an increase is appropriate or necessary? Or, should Licensing Committee increase fares, in line with the Retail Price Index, on an agreed periodic basis?

Recommendation/s:

That the Committee:

- 1) agrees to continue with the existing arrangement of having 2 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) agrees to continue with the different timings for tariffs in the existing North and South tariff tables
- 3) agrees 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

Governance:

Licensing is a Council function exercised by Licensing Committee and Licensing Sub-Committees.

The existing tariff table arrangement, with the 2 tariff tables in the one district, is lawful and was provided for in the transitional Orders creating the new East Suffolk Council.

ESC policies and strategies that directly apply to the proposal:

Taxi and private hire licensing policy

Environmental:

No impact

Equalities and Diversity:

No impact

Financial:

The Council's finances are not affected by the level of taxi tariffs. The licensing authority sets taxi tariffs but does not generate income from taxi tariffs.

Human Resources:

No impact

ICT:

No impact

Legal:

Section 65 of Local Government (Miscellaneous Provisions) Act 1976 gives Local Authorities the power to set and vary fares for hackney carriages.

Section 55 of the Town Police Clauses Act 1847 prohibits a driver from charging more than the set fare, but they can charge less.

If the Council proposes to make any changes to existing fares, it must publish a notice in a local newspaper setting out the proposed variation. The notice must specify a date (not less than 14 days from publication), and manner by which any objections should be made and if no objections are received then the new fares will come into force on the date specified. Licensing Committee must consider any objections that have been made and which have not been withdrawn.

Risk:

Hackney carriage drivers and operators need fares to be set at a level where it is profitable and sustainable for them to provide their service in the face of increasing costs. However, demand for and the accessibility of taxis in the district will fall if maximum fares are set at a higher level than a significant number of people who use, or rely on, taxis can afford or are prepared to pay.

External Consultees:

200 hackney carriage drivers and 76 private hire operators were consulted and given the opportunity to comment on the options committee is considering. 34 written responses were received

	during the consultation period (Appendix D).
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Strategic Plan Priorities

Select the priorities of the Strategic Plan which are supported by this proposal: (Select only one primary and as many secondary as appropriate)		Primary priority	Secondary priorities
T01	Growing our Economy		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
T02	Enabling our Communities		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input type="checkbox"/>
T03	Maintaining Financial Sustainability		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
T04	Delivering Digital Transformation		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
T05	Caring for our Environment		
P20	Lead by example	<input type="checkbox"/>	<input type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
XXX	Governance		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input type="checkbox"/>
How does this proposal support the priorities selected? Licensing plays an important role in the themes in the Council's Strategic Plan of growing our economy and enabling our communities. Hackney carriage and private hire vehicles are a key part of the public transport system, enabling people without their own private transport or without easy access to other means of public transport to travel for education, employment, holidays, entertainment, to shop and to attend medical			

appointments or deliver/receive care.

Background and Justification for Recommendation

1 Background facts	
1.1	On 25 January 2021, Licensing Committee resolved to consult with hackney carriage drivers, and private hire operators, on the structure and setting of hackney carriage fares in East Suffolk.
1.2	The consultation exercise ran between 9 February 2021 and 10 March 2021. 200 hackney carriage drivers and 74 operators were consulted and asked for their feedback on tariff tables, tariff timings and tariff reviews. 34 consultation responses were received from hackney carriage drivers and private hire operators.
2 Current position	
2.1	<p>There are currently 2 hackney carriage tariff tables in operation in East Suffolk; 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). The Tariffs in each tariff table are set at different rates and apply at different times.</p> <p>Both North and South have a Tariff 1 (daytime and early evening tariff) and a Tariff 2 (late evening and through the night tariff). North also has a Tariff 3 (Christmas and New Year tariff).</p>
2.2	It is unusual for a district council to have 2 tariff tables in its district. There is usually only 1 tariff table in force in a Council's geographical area. However, the existing 2 tariff tables arrangement in East Suffolk is lawful and was provided for in the transitional Orders creating the new East Suffolk Council on 1 April 2019.
2.3	The current tariff table for the North of the district is at Appendix A of the report.
2.4	The current tariff table for the South of the district is at Appendix B of the report.
2.5	As a comparator, a single East Suffolk tariff table (for the whole of the district) was drafted to be consulted upon as well, with tariffs and times set in between the current North and South tariff tables. The draft East Suffolk tariff table is at Appendix C.
2.6	It was custom and practice at both Suffolk Coastal District Council and Waveney District Council to leave it to drivers and operators to trigger reviews of tariff tables. The tariff table in the North of the district was last revised in September 2012. The tariff table in the South of the district was last revised in

	November 2020 (after Licensing Committee agreed the trade's request for a fare increase in October 2020). Prior to the 2020 increase, the tariff table in the South had not been changed since June 2012.
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3 How to address current situation

3.1	A summary of the consultation responses on tariff tables, tariff timings and tariff reviews, together with copies of the full 34 responses received are at Appendix D of the report. Addresses, contact details and consultees' signatures have been redacted from the responses pursuant to Data Protection Act 2018/GDPR requirements.
3.2	<p><u>Tariff tables</u></p> <p>A significant majority of consultees who responded to the consultation exercise, 27 of the 34, favoured keeping the status quo of 2 tariff tables – 1 for the North of the district (the former WDC area) and 1 for the South of the district (the former SCDC area).</p> <p>Consultees reasons for wishing to keep the existing 2 tariff tables structure included:</p> <ul style="list-style-type: none"> • That the current structure is working and is not generating complaints • That customers say that the prices currently are fair • Neither an increase nor a decrease in tariffs at present would be welcomed • That East Suffolk Council covers a large geographical area and the 'North' and 'South' areas of the district have different demographics, needs and customers and the 2 separate tariff tables reflect that. • That any increase in fares would be a mistake in the current climate • That any decrease in fares could cause drivers to leave the taxi trade for other employment which could result in difficulties meeting the demand for taxis. • That passengers in the South have recently (November 2020) experienced a fare increase and a further increase would not be well received at this time. • That a move to the East Suffolk table (Appendix C) would cause drivers financial hardship at a time when the trade has been severely adversely affected by the Covid pandemic, especially in the face of the increasing costs incurred in licensing and insuring a vehicle. • The North has not triggered a tariff review since 2012 because the trade has been content with the tariff table. • Night drivers are prepared to work anti-social hours for the incentive of the higher tariff (Tariff 2). Reducing Tariff 2 in the North would reduce the incentive for drivers to work nights and lead to unmet demand. • If tariff changes make Hackney carriages less profitable, it could encourage drivers and businesses to move away from hackney carriages to private hire resulting in very few Hackney Carriages being

	<p>available to the public.</p> <ul style="list-style-type: none"> • That costs would be incurred in having the meter changed for any new tariff. • The one East Suffolk tariff table would have no benefit for the North and would cause severe disruption to the trade for drivers, taxi businesses and ultimately customers. • The North has a far larger number of hackney carriage drivers than the South and so if there was to be one East Suffolk tariff table, the wishes of the North area would carry more weight and the South might be forced to use a tariff table that would be detrimental to both the licence holders and their customers. • The hackneys in the Felixstowe area have a much smaller area of operation than the North. A fair proportion of daytime journeys in Felixstowe are less than 880 yards. Felixstowe hackney drivers generally only operate in and accept calls from no further away than Nacton, Bucklesham and Waldringfield, unless picking up a return fare for a Felixstowe customer. • If the Council was to create one East Suffolk tariff it would be solely for the benefit of the Council and the East Suffolk 2020-24 Business Plan, not the trade. <p>6 of the 34 consultees who responded favoured one single East Suffolk tariff table for the whole of the district (Appendix C) to simplify the tariff structure across the district and potentially reduce administration costs/fees.</p> <p>Any decision by Licensing Committee to move to one tariff table would be subject to no objections being received during a 14 day formal consultation period.</p>
3.3	<p><u>Tariff timings</u></p> <p>The response to this question was not always specifically addressed by consultees.</p> <p>Of those that did make submissions on timings, the majority were content with the existing timings for the different tariffs, although 5 consultees did suggest that Tariff 2 could start slightly earlier in the evening. Tariff 2 currently starts at 23:00 in the North and 22:30 in the South. One consultee suggested that starting Tariff 2 at 22:00 could ease the current pressure point in the North whereby 23:00 is the time Tariff 2 starts and the time most pubs close.</p> <p>However, as the tariff timings are set down in the tariff tables and as a significant majority of consultees opted to keep the existing tariff tables, the recommendation is that the timings in the existing tariff tables remain as they are at present.</p> <p>Any decision by Licensing Committee to change timings to either tariff table would be subject to no objections being received during a 14 day formal consultation period.</p>

3.4	<p><u>Tariff reviews</u></p> <p>The consensus amongst consultees who responded was that the trade should continue to trigger reviews, rather than the Council starting to do this on a periodic basis, because it was considered the trade is best placed to determine when an increase is appropriate/necessary because they understand their customers and drivers' needs.</p>
3.5	<p><u>Other matters raised</u></p> <p>One consultee objected to some drivers/companies offering fixed fares or discounting tariffs to win business because it makes it difficult for other drivers/companies to compete. However, this business model is perfectly lawful. The Council can only set the maximum fare which drivers/companies are free to discount if they so wish. Drivers/companies are free to charge passengers less, but cannot charge passengers more, than the maximum fare set by Licensing Committee.</p> <p>Several consultees felt the charge hirers must pay in the event they soil a vehicle should be increased. The soiling charge which is payable by hirers when a vehicle requires to be cleaned after their occupancy because, for example, a passenger has vomited in the vehicle, is currently £40 in the North and £75 in the South. One consultee thought the soiling charge should be raised to £150 to cover the cost of valeting the vehicle and the loss of trade whilst the vehicle is being cleaned. Another consultee thought the soiling charge in the North should be raised from the current £40 to the £75 charged in the South.</p> <p>Any decision by Licensing Committee to change the soiling charge in either tariff table would be subject to no objections being received during a 14 day formal consultation period.</p>

4 Reason/s for recommendation

4.1	To ensure the licensing authority's tariffs/fares structure and process for triggering reviews of taxi tariffs/fares in East Suffolk is appropriate and practical.
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Appendices

Appendices:

Appendix A	Existing North tariff table
Appendix B	Existing South tariff table
Appendix C	Draft East Suffolk tariff table
Appendix D	Consultation responses
Appendix E	Tariffs comparison

Background reference papers:

Date	Type	Available From
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25 January 2021	Licensing Committee report – Hackney Carriage Fares in East Suffolk	CMIS > Meetings
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FARE TABLE**NORTH ZONE**

300p	TARIFF 1 (7am – 11pm) For the first 987 yards (902.5m) or 5 minutes 2.9 seconds or part thereof or a combination of parts of such distance and time.
20p	For each subsequent 146.66 yards (134.1m) or 45 seconds or part thereof or a combination of parts of such distance and time.
320p	TARIFF 2 (11pm – 7am) For the first 789 yards (721.4m) or 3 minutes 8.6 seconds or part thereof or a combination of parts of such distance and time.
20p	For each subsequent 121.37 yards (110.9m) or 29 seconds or part thereof or a combination of parts of such distance and time.

560p	TARIFF 3 (CHRISTMAS AND NEW YEAR) For the first 1,440 yards (1316.7m) or 4 minutes 02 seconds or part thereof or a combination of parts of such distance and time.
20p	For each subsequent 107 yards (97.8m) or 18 seconds or part thereof or a or a combination of parts of such distance and time

30p	EXTRA CHARGES Additional passengers – each additional passenger in excess of two (excluding infants in arms).
90p	Additional passengers – each additional passenger in excess of the first 2 additional passengers incurring 30p, in vehicles licensed to carry more than 4 passengers.
30p	Luggage – for the use of the luggage compartment (no restriction on the number of items).

Tariff 2	NIGHTS, SUNDAYS & PUBLIC HOLIDAYS * For any hiring commenced between the following periods: Monday to Friday 11pm to 7am and between 11pm Saturday to 7am Monday, Good Friday, Easter Monday, Early May Bank Holiday, Spring Bank Holiday, August Bank Holiday, and after 6am New Years Day.
Tariff 3	CHRISTMAS AND NEW YEAR For hiring's between 6pm 24 th December and 6am 27 th December. For hiring's between 6pm 31 st December and 6am 1 st January.

*NOTE: ONLY ONE OF THESE CHARGES IS PAYABLE IN RESPECT OF ONE HIRING VEHICLE SOILING: A CHARGE OF £40 MAY BE MADE FOR SOILING THE VEHICLE.


When Boxing Day falls on a day other than 26 December, Tariff 3 will apply on that day from 6pm to 6am the following day. The interval between 6am on the day following Christmas day and 6pm on the evening preceding the day designated as Boxing Day bank holiday will revert to Tariff 2.

Complaints: Complaints regarding the conduct of the driver or the condition of the vehicle should be addressed to: Licensing, Riverside, 4 Canning Road, Lowestoft NR33 0EQ together with the driver's badge number or the number of the vehicle.

FARE TABLE**SOUTH ZONE**

3.60p	TARIFF 1 (05:30 – 22:30)
	For the first 800 yards (731.5m) or 4 minutes or part thereof or a combination of parts of such distance and time
20p	For each subsequent 220 yards (201.1m) or 32 seconds or a combination of parts of such distance and time
4.20p	TARIFF 2 (22:30 – 05:30)
	For the first 800 yards (731.5m) or 4 minutes or part thereof or a combination of parts of such distance and time
20p	For each subsequent 196 yards (179.2m) or 30 seconds or a combination of parts of such distance and time
20p	EXTRA CHARGES
	Additional Passengers - each additional passenger in excess of three (excluding infants in arms)
20p	Luggage - for use of the luggage compartment (no restriction on number of items)
	VEHICLE SOILING: a charge up to a maximum of £75.00 may be made for the soiling of a vehicle.
+50%	BANK HOLIDAYS
	For any hiring commenced between: <ul style="list-style-type: none"> • 04:00hrs on a Bank Holiday and 04:00hrs the next day • 14:00hrs and 24:00hrs on Christmas Eve and New Year's Eve • 00:01hrs and 24:00hrs on Bank Holidays in lieu of 25th December, 26th December and 1st January
+100%	CHRISTMAS DAY, BOXING DAY & NEW YEARS DAY
	For any hiring commenced between: <ul style="list-style-type: none"> 00:01hrs Christmas Day and 04:00hrs on the 27th December and 00:01 New Years Day and 04:00 on the 2nd January.

November 2020

<h1>FARE TABLE</h1> <h2>EAST SUFFOLK (PROPOSED)</h2>	 <p>EASTSUFFOLK COUNCIL</p>
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3.40p	TARIFF 1 (07:00 – 22:30)
	For the first 880 yards (804.6m) or 4 minutes or part thereof or a combination of parts of such distance and time
25p	For each subsequent 220 yards (201.1m) or 32 seconds or a combination of parts of such distance and time
4.00p	TARIFF 2 (22:30 – 07:00), Sundays and Bank Holidays (see below)
	For the first 880 yards (804.6m) or 4 minutes or part thereof or a combination of parts of such distance and time
25p	For each subsequent 176 yards (160.93m) or 30 seconds or a combination of parts of such distance and time
30p	EXTRA CHARGES
	Additional Passengers - each additional passenger in excess of three (excluding infants in arms)
90p	Additional Passengers – each additional passenger in excess of 2 additional incurring 30p, in vehicles licensed to carry more than 4 passengers,
20p	Luggage – for use of the luggage compartment (no restriction on number of items)
	VEHICLE SOILING: a charge up to a maximum of £75.00 may be made for the soiling of a vehicle.
+100%	CHRISTMAS DAY, BOXING DAY & NEW YEARS DAY
	For any hiring commenced between: 00:01hrs Christmas Day and 04:00hrs on the 27 th December and 00:01 New Years Day and 04:00 on the 2 nd January.

Tariff 2	BANK HOLIDAYS
	For any hiring commenced between: <ul style="list-style-type: none"> • 04:00hrs on a Bank Holiday and 04:00hrs the next day • 14:00hrs and 24:00hrs on Christmas Eve and New Year's Eve • 00:01hrs and 24:00hrs on Bank Holidays in lieu of 25th December, 26th December and 1st January

PROPOSED EAST SUFFOLK TARIFF.

Proposed TARIFF 1. 07:00 to 22:30		Current South Tariff 1 (05.30 to 22.30)	Current North Tariff 1 (07.00 to 23.00)
First yardage	£3.40	£3.60	£3.00
1 mile	£4.40	£4.60	£4.20
2miles	£6.40	£6.20	£6.60
5 miles	£12.40	£11.00	£13.80
10 miles	£22.40	£19.00	£25.80
15 miles	£32.40	£27.00	£37.80
20 miles	£42.40	£35.00	£49.80
Proposed TARIFF 2. 22.30 to 07.00 Sundays & Bank Holidays		Current South Tariff 2 (7 days a week, 22:30 to 05.30)	Current North Tariff 2 (Sundays and Bank Holidays , 23:00 to 07:00)
First yardage	£4.00	£4.20	£3.20
1 mile	£5.25	£5.20	£4.80
2miles	£7.75	£7.00	£7.80
5 miles	£15.25	£12.40	£16.40
10 miles	£27.75	£21.40	£31.00
15 miles	£40.25	£30.40	£45.60
20 miles	£52.75	£39.40	£60.00
		Current South Tariff 3 (+50% Bank Holidays)	
First yardage		£5.40	
1 mile		£6.90	
2miles		£9.30	
5 miles		£16.50	
10 miles		£28.50	
15 miles		£40.50	
20 miles		£52.50	
Proposed TARIFF 3. Christmas + 100% (of Tariff 1)		Current South Tariff 4 (Christmas & New Year)	Current North Tariff 3 (Christmas & New Year)
First yardage	£6.80	£7.20	£5.60
1 mile	£8.80	£9.20	£6.20
2miles	£12.80	£12.40	£9.60
5 miles	£24.80	£22.00	£19.40
10 miles	£44.80	£38.00	£36.00
15 miles	£64.80	£54.00	£52.40
20 miles	£84.80	£70.00	£68.80



LICENSING COMMITTEE

Monday, 19 April 2021

Subject	ISSUED LICENCES IN EAST SUFFOLK AND AN OVERVIEW OF THE WORK OF THE LICENSING SUB-COMMITTEES JANUARY – MARCH 2021
Report by	Councillor Mary Rudd – Cabinet Member with responsibility for Community Health
Supporting Officer	Chris Bing Legal and Licensing Services Manager 01394 444408 chris.bing@eastsoffolk.gov.uk

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information.	Not applicable.
Wards Affected:	All Wards .

Purpose and high-level overview

Purpose of Report:

This report provides an overview of the current number and type of licences issued by East Suffolk Council. The report also summarises the applications received and the work of the Licensing Sub-Committees from January to March 2021.

Options:

Not applicable. This is an update report for noting.

Recommendation/s:

That the Committee:

- 1) Notes the overview of the work of the Licensing Team and the Licensing Sub-Committees during the first three months of 2021.

Corporate Impact Assessment

Governance:

Licensing is a Council function exercised by Licensing Committee and Licensing Sub-Committees.

ESC policies and strategies that directly apply to the proposal:

Not applicable. This is an update report for noting.

Environmental:

Not applicable. This is an update report for noting.

Equalities and Diversity:

Not applicable. This is an update report for noting.

Financial:

Not applicable. This is an update report for noting.

Human Resources:

Not applicable. This is an update report for noting.

ICT:

Not applicable. This is an update report for noting.

Legal:

Not applicable. This is an update report for noting.

Risk:

Not applicable. This is an update report for noting.

External Consultees:

Not applicable. This is an update report for noting.

Strategic Plan Priorities

Select the priorities of the Strategic Plan which are supported by this proposal: (Select only one primary and as many secondary as appropriate)		Primary priority	Secondary priorities
T01	Growing our Economy		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
T02	Enabling our Communities		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input type="checkbox"/>
T03	Maintaining Financial Sustainability		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
T04	Delivering Digital Transformation		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>

T05	Caring for our Environment		
P20	Lead by example	<input type="checkbox"/>	<input type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
XXX	Governance		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input type="checkbox"/>
How does this proposal support the priorities selected?			
Not applicable. This is an update report for noting.			

Background and Justification for Recommendation

1 Background facts				
1.1	Applications determined during January to March 2021			
Type of application	Premises address	Hearing/mediated	Date of hearing	Outcome
Glemham Hall NEW PREM2204	Little Glemham, Woodbridge, IP13 0BT	Yes - it was withdrawn	22.1.21 hearing called off	Cons end 15.12.20 Conditions were agreed – 18.1.21 Issued 19.1.21
The Open Kitchen NEW PREM2206	6 Naunton Road, Woodbridge, IP12 4HP	None	N/A	Cons end 1.1.21 Granted
Capital Chinese Takeaway SURRENDER WPREM2055 No alcohol	63 Westwood Avenue, Lowestoft, NR33 9RW	N/A	N/A	Surrendered 3.12.21 Completed 4.1.21
Queens Head SURRENDER WPREM2306	High Street, Kessingland, NR33 7QQ	N/A	N/A	Surrendered 4.12.20 Completed 4.1.21
Aldeburgh Bowls & Sports Club SURRENDER CLUB0050	The Pavilion, Park Road, Aldeburgh, IP15 5EL	N/A	N/A	Surrendered 23.12.20 Completed 24.1.21
		None	N/A	

Felixstowe Beach Holiday Park VARIATION GAM0071 – Bingo Prem	Walton Road, Felixstowe, IP11 2HA			Cons end 17.01.21 Granted
Felixstowe Beach Holiday Park VARIATION PREM0089	Walton Road, Felixstowe, IP11 2HA	None	N/A	Cons end 18.01.21 Granted
East of England Co-op NEW PREM2205	Station Road, Framlingham, IP13 9EE	None	N/A	Cons end 19.01.21 Granted
Golden House Chinese Takeaway SURRENDER WPREM2142 (No Alcohol)	4 Market Place, Halesworth, IP19 8BA	N/A	N/A	Surrendered 30.12.20 Completed 27.1.21
The Tiny Tipple Company SURRENDER WPREM2476	18 Bosquet Close, Lowestoft, NR32 4WU	N/A	N/A	Surrendered 7.1.21 Completed 5.2.21
McColls SURRENDER WPREM2515	38 St Marys Road, Bungay, NR35 1AX	N/A	N/A	Surrendered 13.1.21 Completed 10.2.21
Mcdonalds NEW WPREM2555	Kirkley Rise, Lowestoft, NR33 0FD	N/A	N/A	Cons end 11.2.21 Granted
American Hut Pizza NEW PREM2207	119-121 Hamilton Road, Felixstowe, IP11 7BL	N/A	N/A	Cons end 12.2.21 Issued 22.2.21
Oulton Broad Convenience Store NEW	123 Bridge Road, Lowestoft, NR33 9JU	N/A	N/A	Cons end 15.2.21 WITHDRAWN 29.1.21
First Coffee Shop NEW PREM2208	1a Clopton Park, Clopton, Woodbridge, IP13 6QT	N/A	N/A	Cons end 18.2.21 Granted
Brick Kiln Barn SURRENDER PREM2011	Sibton, Saxmundham, IP17 2NE	N/A	N/A	Surrendered 22.1.21
Buttercross Tearooms	6 Cross Street, Bungay, NR351AU	N/A	N/A	Surrendered 29.1.21

SURRENDER WPREM2054				Completed 26.2.21
Butley Priory SURRENDER PREM0485	Abbey Road, Butley, IP12 3NR	N/A	N/A	Surrendered 10.2.21 Completed 9.3.21
Waterfront Cafe VARIATION PREM0382	Tidemill Way, Woodbridge IP12 1BY	Yes		Cons end 12.3.21 Withdrawn 12.3.21
The Old Felixstowe Brewing Co NEW PREM2210	30 Falkenham Road, Kirton, IP10 0NW	No	N/A	Cons end 14.3.21 Granted
Spice of Balti REVIEW WPREM2351	42 St Marys Street, Bungay, NR35 1AX	Yes	16.4.21	Cons end 25.3.21
Pakefield Caravan Park NEW BINGO PREM WGAM0016	Arbor lane, Lowestoft, NR33 7BQ	No	N/A	Cons end 25.3.21 Granted
Slate NEW PREM2211	138 High Street, Aldeburgh, IP15 5AQ	No	N/A	Cons end 28.3.21 Granted
Cherry Lane Garden Centre NEW WPREM2556	Rushmere Road, Carlton Colville, Lowestoft, NR33 8HA	No	N/A	Cons end 30.3.21 Granted
Old Hall Southwold Café & Walks VARIATION WPREM2517	Old Hall Farm, Halesworth Road, Reydon, Southwold, IP18 6SG			Cons end 9.4.21
Shop SURRENDER WPREM2339	149 High Street, Lowestoft, NR32 1HS	N/A	N/A	Surrendered 12.3.21 To be completed after 8.4.21
V & M Express NEW	134 Bevan Street East, Lowestoft, NR32 2AQ			Cons end 9.4.21
The Old Diary NEW	14 Hungate, Beccles, NR34 9TT			Cons end 13.4.21
No Name Yet NEW	120 St Peters Street, Lowestoft, NR32 1UD	Yes		Cons end 13.4.21
Flora Tearooms				

NEW	Beach Road, Dunwich, IP17 3EN			Cons end 20.4.21
The Hog Hotel VARIATION WPREM2126	41 London Road Pakefield, Lowestoft, NR33 7AA	Yes		Cons end 20.4.21
The Grundisburgh Dog Deli NEW	The Old Post Office, The Street, Grundisburgh, IP13 6TD			Cons end 21.4.21
Thornington Theatre NEW	Stonehouse Farm, Thornington, IP17 3RB			Cons end 21.4.21
The Old Stores NEW	The Chapel, The Street, Tuddenham St Martin, IP6 9BN			Cons end 22.4.21
1.2	Appeals to Magistrates Court There are currently no appeals to the Magistrates Courts.			
1.3	28 day consultation period has passed, and application is still to be determined There is currently one application waiting to be considered by the Licensing Sub-committee: Review of Premises Licence for Spice of Balti, Bungay – the hearing is on the 16th April 2021.			
1.4	In consultation New Premises Licence – V & M Express, Lowestoft. Consultation period end on 9 th April 2021. Variation of Premises Licence – Old Hall Southwold Café & Walks, Reydon. Consultation period ends on 9 th April 2021. New Premises Licence – The Old Diary, Beccles. Consultation period end on 13 th April 2021. New Premises Licence – 120 St Peters Street, Lowestoft. Consultation period end on 13 th April 2021. New Premises Licence – Flora Tea Rooms, Dunwich. Consultation period ends on 20 th April 2021. Variation of Premises Licence – The Hog Hotel, Lowestoft. Consultation Period ends on 20 th April 2021. New Premises Licence – The Grundisburgh Dog Deli, Grundisburgh. Consultation period ends 21 st April 2021. New Premises Licence – Thorington Theatre, Thorington. Consultation period ends 21 st April 2021. New Premises Licence – The Old Stores, Tuddenham St Martin. Consultation period ends 22 nd April 2021.			

1.5	There have been no Sub-Committee hearings regarding licensed or gambling premises so far in 2021.
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2 Current position	
2.1	<p>Licensing Act Premises</p> <p>On the 1st January 2021 there were 1007 Premises Licences and 860 of these included alcohol on the licence.</p> <p>There were 66 Club Premises Licence.</p> <p>10 new Premises Licences were granted between the 1st January 2021 and the 31st March 2021.</p> <p>8 Premises Licences were surrendered.</p> <p>1 Club Premises Licences were surrendered.</p> <p>On the 31st March 2021 there are 1009 Premises Licences and 863 of these include alcohol on the licence.</p> <p>There were 65 Club Premises Licences.</p> <p>In summary, on 1st January 2021 there were 1073 Premises Licences and Club Premises Licences, and on the 31st March 2021, there are 1074.</p>
2.2	<p>Gambling Act Premises</p> <p>On the 1st January 2021 there were 37 Gambling Premises licences in total.</p> <p>1 new application for a new Bingo Premises Licence was received on 25th February 2021. The consultation period ended on 25th March 2021. The licence was granted and issued on 30th March 2021</p> <p>1 application to vary an existing Bingo Premises Licence was received on the 21st December 2020. The consultation period ended on 17th January 2021. The variation was granted and issued on 20th January 2021.</p> <p>On the 31st March 2021 there were 38 Gambling Premises Licences in total.</p> <p>There were 10 Bingo Premises Licences.</p> <p>There were 11 Adult Gaming Centre Premises Licences.</p> <p>There was 1 Family Entertainment Centre Premises Licence.</p> <p>There was 1 Betting Premises Licence (in respect of a track)</p> <p>There were 15 Betting Premises licences (in respect of a premises other than a track).</p>
2.3	<p>Taxi Licences</p> <p>On 1 January 2021, East Suffolk Council licensed:</p>

	<p>95 hackney carriage vehicles and 203 hackney carriage/private drivers 289 private hire vehicles and 315 private hire drivers 75 private hire operators</p> <p>On 31 March 2021, there were:</p> <p>93 hackney carriage vehicles and 197 hackney carriage/private drivers 278 private hire vehicles and 309 private hire drivers 76 private hire operators</p> <p>Since the last Licensing Committee in January 2021, the taxi and private hire licence activity is as follows:</p> <p>Taxi and Private Hire Licence Activity January to March 2021</p> <table><tr><th><u>Type of Licence</u></th><th><u>Renewed</u></th><th><u>Did not renew</u></th><th><u>New</u></th><th><u>Change of Veh</u></th></tr><tr><td>Private Hire Vehicle</td><td>46</td><td>17</td><td>10</td><td>7</td></tr><tr><td>Hackney Carriage</td><td>16</td><td>3</td><td>3</td><td>4</td></tr><tr><td>Private Hire Driver</td><td>13</td><td>4</td><td>3</td><td>n/a</td></tr><tr><td>Hackney Carriage Driver</td><td>14</td><td>4</td><td>0</td><td>n/a</td></tr><tr><td>Private Hire Operator</td><td>2</td><td>0</td><td>1</td><td>n/a</td></tr></table>	<u>Type of Licence</u>	<u>Renewed</u>	<u>Did not renew</u>	<u>New</u>	<u>Change of Veh</u>	Private Hire Vehicle	46	17	10	7	Hackney Carriage	16	3	3	4	Private Hire Driver	13	4	3	n/a	Hackney Carriage Driver	14	4	0	n/a	Private Hire Operator	2	0	1	n/a
<u>Type of Licence</u>	<u>Renewed</u>	<u>Did not renew</u>	<u>New</u>	<u>Change of Veh</u>																											
Private Hire Vehicle	46	17	10	7																											
Hackney Carriage	16	3	3	4																											
Private Hire Driver	13	4	3	n/a																											
Hackney Carriage Driver	14	4	0	n/a																											
Private Hire Operator	2	0	1	n/a																											
2.4	<p>There have been no Sub-Committee hearings regarding a taxi/private hire licence so far in 2021.</p>																														

3 How to address current situation

3.1 Not applicable. This is an update report for noting.

4 Reason/s for recommendation

4.1 To keep Licensing Committee members updated as to the work of the Licensing Sub-Committee and Licensing Services.

Appendices

Appendices:

None

Background reference papers:		
	None	