

Unconfirmed



Minutes of a Meeting of the **Licensing Committee** held in the Deben Conference Room, East Suffolk House, on **Monday, 19 July 2021 at 6.30pm**

Members of the Committee present:

Councillor Edward Back, Councillor Linda Coulam, Councillor Janet Craig, Councillor John Fisher, Councillor Tony Goldson, Councillor Colin Hedgley, Councillor Mark Newton, Councillor Keith Patience, Councillor Keith Robinson, Councillor Steve Wiles

Other Members present:

Councillor Tony Cooper, Councillor Mary Rudd

Officers present: Teresa Bailey (Senior Licensing Officer), Chris Bing (Head of Legal and Democratic Services), Sarah Carter (Democratic Services Officer), Martin Clarke (Acting Legal and Licensing Services Manager), Matt Makin (Democratic Services Officer), Alison Woodley (Licensing Officer)

1 Apologies for Absence and Substitutions

Apologies for absence were received from Councillors Ashdown, F Mortimer and T Mortimer.

Councillor Cooper attended the meeting as a Substitute for Councillor Ashdown.

2 Declarations of Interest

There were no Declarations of Interest.

3 Minutes

RESOLVED

That the Minutes of the Meeting held on 19 April 2021 be confirmed as a correct record and signed by the Chairman.

4 Department for Transport Statutory Taxi and Private Hire Vehicle Standards and Review of Existing Policy

The Cabinet Member for Community Health introduced report ES/0845, the purpose of which was to report the outcome of the recent consultation exercise on the proposals required to meet the Department for Transport's (DfT) 'Statutory Taxi and Private Hire Vehicle Standards' and the proposed changes required following a review of existing policy and guidance documents, and to agree future arrangements.

The Senior Licensing Officer reminded Members that, at their last meeting, they had approved a consultation exercise to be undertaken on the Department for Transport's (DfT) Statutory Taxi and Private Hire Vehicle Standards and the proposed changes required following a review of existing policy and guidance documents. That consultation had been undertaken from 10 May to 20 June 2021 and 19 responses had been received. Full details were set out in the report and the consultation responses were contained in Appendix D to the report.

The Senior Licensing Officer advised that much of what was suggested in the guidance had already been adopted by East Suffolk Council and it was proposed to bring the Council's policies and guidance into one policy document. The majority of responses related to CCTV and the majority of respondents stated that they would not wish it to be mandatory. The Licensing Team wished to adopt the DfT's standards for convictions and no adverse comments on that proposal had been received. Again, no adverse comments had been received on the general Taxi and Private Hire Policy.

The Committee was requested to consider the recommendations in the report.

Members raised questions relating to:

- Whether the DfT actually proposed that CCTV should be mandatory.
- Number of responses received compared to those consulted.
- Costs of CCTV and that cost being imposed on the drivers.
- If the Committee insisted on CCTV whether the Council would fund it.

The Senior Licensing Officer advised that the DfT had suggested the Council consult on whether or not CCTV in taxis should be mandatory. The consultation had been sent to about 300 drivers and proprietors, all Town and Parish Councils and it was advertised on the website. 19 responses had been received out of about 500 that had been consulted.

The Acting Legal and Licensing Services Manager advised that CCTV would be a minimum of £600 per vehicle and for all private hire vehicles and hackney carriages that would take it to a minimum total of around £221,000. The Cabinet Member for Community Health advised that the Council was not in a position to fund CCTV in taxis.

During the ensuing debate, Members were of the opinion that the trade were unlikely to be able to afford the cost of CCTV but it might be a long term aim on the production of a new vehicle. Comment was made that the DfT could fund CCTV if it insisted on it

being mandatory. Members agreed that Covid had affected income and some drivers were finding it difficult to pay for their badge and the licence fees. The Senior Licensing Officer explained that the DfT was not requiring CCTV to be installed in all cars, it had just made the request to consult. In East Suffolk, there was no prevalent crime in taxis. Whilst noting that CCTV would protect both drivers and passengers, there was little interest from new drivers to take on the work and that the cost of CCTV might be a deterrent. It was suggested that the requirement for CCTV could be reviewed in one year. A Member pointed out the financial burden of introducing mandatory CCTV, and commented that the cost would be more like £800 per car and £1,000+ for a minibus, with monthly running costs of up to £30. From some of the responses, particularly in the north of the district, it seemed apparent that the drivers did not want CCTV.

In response to a question relating to vehicle inspections and the use of the Rotterdam Road depot, the Senior Licensing Officer confirmed that the depot could still undertake such checks at the present time. However, she confirmed they had to review agency garages every so often.

As far as compliance with the standards, the Senior Licensing Officer advised that the Council expected to be compliant by the end of the year and the Government would monitor that. She anticipated that the new policy would be published by the end of the year. Licensing were trying to appoint a tutor in conjunction with East Coast College to offer a course for drivers.

Some Members were of the opinion that the introduction of CCTV could be reviewed and it was proposed and seconded that such a review be considered in 12 months. There being no further debate, it was

RESOLVED

1. That it be agreed to implement the actions and proposals in respect of the DfT Statutory Taxi and Private Hire Vehicle Standards, and the existing policy and guidance documents.
2. That, subject to a review in 12 months time, it be agreed to continue with the current policy for CCTV where it is optional for drivers and vehicle proprietors to have CCTV in their licensed vehicles.

5 Review of Gambling Act 2005 Statement of Principles

The Cabinet Member for Community Health introduced report ES/0846 which presented a draft revised edition of the Gambling Statement of Principles and sought approval to consult on the revised document.

The Senior Licensing Officer explained that Section 349 of the Gambling Act 2005 required all Licensing Authorities to prepare and publish a statement of the principles that they proposed to apply when exercising their functions under the Act. That statement had to be reviewed every three years and the Council's next revised guidance was due to be published in January 2022. The draft Statement of Principles was appended to the report and she drew attention to updated information including:

- The removal of any reference to Suffolk Coastal and Waveney District Councils.
- An extended consultees list.
- The removal of the local area profile from the main body of the document to allow changes to be made without the need to consult each time.
- An amendment to the maximum stake for a B2 category gaming machine from £100 to £2 which came into force in April 2019.

The full Statement of Principles was attached to the report at Appendix A and Appendix B set out the Local Area Profile. The Committee was being asked to approve the necessary consultation.

Having considered the report and proposed amendments, Members unanimously

RESOLVED

1. That the proposed amendments to the draft revised edition of the Gambling Statement of Principles be agreed.
2. That the proposed consultation for the draft revised edition of the Gambling Statement of Principles be agreed.

6 Issued Licences in East Suffolk and an Overview of the Work of the Licensing Sub-Committees - April to June 2021

The Cabinet Member for Community Health introduced report ES/0847 which provided Members with information relating to issued licences in East Suffolk and gave an overview of the work of the Licensing Sub-Committees during the period April to June 2021.

The Acting Legal and Licensing Services Manager advised that the report gave details of the number and type of licences issued by the Council. He drew particular attention to the 36 applications received during April to June 2021 and explained that 24 licences had been issued, three surrendered, one had been withdrawn, and eight were outstanding. Since the preparation of the report one case, the Hog Hotel, had appealed to the Magistrates' Court and a second one, Saxmundham Local, had been granted following a hearing. The two applications referred to in paragraph 1.3 had now been determined and granted following the relevant hearings. In that same period, seven premises licence application were subject to consultation and six hearings had been held.

The Acting Legal and Licensing Services Manager drew attention to paragraph 2.1 which gave details of the 1,009 premises licences and paragraph 2.2 relating to the 28 Gambling Act premises licences. Paragraph 2.3 in the report set out details of the increase in taxi and private hire licences which now totalled 101 hackney carriage vehicles and 197 hackney carriage/private drivers; 295 private hire vehicles and 301 private hire drivers; and 79 private hire operators. The figures included two new rickshaw drivers. During the period April to June 2021, there had been one hearing regarding a taxi/private hire licence.

In response to a question relating to gambling premises, the Acting Legal and Licensing Services Manager confirmed there were 38 in total, comprising 10 bingo premises, 11 adult gaming centres, 1 family entertainment, and 16 betting premises licences.

Members thanked the officers for a very informative report and

RESOLVED

That the Overview of the Work of the Licensing Team and the Licensing Sub-Committees during the second quarter of 2021 be noted.

7 Exempt/Confidential Items

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 Exempt Minutes

- Information relating to any individual.

Announcements

Prior to the formal closure of the meeting, the Committee expressed thanks to the Licensing Team for their work over the last quarter.

The Chairman also expressed thanks to those Committee Members who had not only taken the time to attend hearings but also to those Members who had chaired the Sub-Committee meetings.

The meeting concluded at 7.20pm.

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Chairman