

## LICENSING COMMITTEE

Minutes of the meeting held on 20 September 2023 commencing at 7.00 pm

Present: Cllr. Clack (Chairman)

Cllr. Abraham (Vice Chairman)

Cllrs. Edwards-Winsor, Waterton, Barnes, Barnett, Clayton, Ferrari, Haslam and Leaman

Apologies for absence were received from Cllrs. Esler and Skinner

Cllr. Lindop was also present via a virtual media platform, which did not constitute attendance as recognised by the Local Government Act 1972.

### 8. Minutes

Resolved: That the Minutes of the Licensing Committee meeting held 29 June 2023 be approved and signed by the Chairman as a correct record.

### 9. Declarations of interest

There were none.

### 10. Actions from the previous meeting

There were none.

### 11. Introduction of Protocols/Guidance Notes for Members and Attendees at Licensing Sub Committee

The Chairman presented the report, which set out guidance for Members and proposed protocols for attendees at Licensing Sub-Committees. The committee thanked the Head of Licensing Partnership for producing the guidance.

#### Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That the proposed guide and attendee protocol set out at Appendices A & B be approved for future use at future meetings of the Licensing Sub Committee (who are meeting to consider applications made under the Licensing Act 2003).

12. Review of the Hackney Carriage and Private Hire Licensing Policy.

The Senior Licensing Officer presented the report, which set out the proposed Hackney Carriage & Private Hire policy. The officer outlined the main areas of change. Several elements of current practice, required by legislation, were integrated into the policy, including mandatory Safeguarding Training for new drivers, and the authorisation for drivers to work whilst administrative processes were progressing. The environmental considerations within the policy were updated to reflect the Council's position, and would be kept under review. All new vehicles besides stretched limousines and Wheelchair Accessible Vehicles would be required to meet or exceed the Euro 5 or Euro 6 emissions standards. Hybrid, electric, and LPG vehicles would be able to be licensed for 15 years, to incentivise drivers to change to them.

The six-year maximum age limit for newly licensed vehicles would be removed to widen the options available for drivers. It was emphasised that the biannual MOT tests and 100,000 mileage maximum limit would be kept, to ensure cars met the Council's high standards of safety. Card payment machines would be required in Hackney carriages. This would be enforced by a condition on the vehicle license that would require the option for passengers to pay via contactless payment. All drivers would be required to be trained in the card machines operation. This would not replace cash payments but exist alongside them, to address the frequent complaints regarding the lack of availability of Hackney carriages that accept card payments in the district.

Members discussed the report. In response to questions, the officer explained that the Council kept a list of Wheelchair Accessible Vehicles on its website to help customers that required one. It would be the responsibility of the driver of LPG vehicles to understand the limitations of their boot capacity, and to not accept journeys where this would be an issue. Members discussed the possibility of drivers acquiring vehicles that did not meet the ULEZ standards and were thus being sold by London-based drivers.

Members discussed the penalties for drivers failing to have card payment facilities. They expressed concerns regarding the impact of bank holidays and weekends on the availability of card machines. It was proposed and duly seconded that the penalty associated with the failure to arrange repair or replacement of card payment facilities be amended to apply after two working days, rather than 48 hours.

The motion was put to the vote and it was carried.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty

Resolved: That the draft policy as set out as Appendix A to the report be approved for public consultation, subject to the below amendment:

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“Failure to arrange repair or replacement of card payment facilities within 48 hours: 2 points for each day without card payment facilities after initial 48 hours” be amended to be “Failure to arrange repair or replacement of card payment facilities within 2 working days: 2 points for each day without card payment facilities after initial 2 working days”.

### 13. Hackney Carriage And Private Hire Licensing: Licence Fees And Charges 2024/25

The Senior Licensing Officer presented the report, which set out the proposed fees and charges for licences for 2024/25. The taxi licensing service was required to be self-financing, and the proposed changes were to ensure this was maintained. Fees for all licences were monitored throughout the year to ensure they reflected the resource required to process them. The current position of roughly £10,000 in credit was largely due to a £6,000 grant for Hub services, which had been utilised.

The main application fees would remain the same, as they ran for periods longer than 1 year, and would be evaluated when they expired. It was expected that service costs would increase, as a result of the pay award and the cost of Hub resources rising. A new 1-year licence for drivers in exceptional circumstances would be introduced, to better serve customers that may not require extended 3-year licences.

In response to questions, the officer explained that new efficiencies created by the team meant some applications took less time to process, and thus the fees for these licences would be reduced. Others were found to take more time, such as licences for replacement vehicles, and had thus increased. The fees were comparable with other local authorities in Kent, and reflected the high standards enforced by the Council.

### Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty

Resolved: That

- a) having taken into account the information provided by the Senior Licensing Officer, the changes to the fees set out at Appendix A be subject to a 6 week public consultation process;
- b) if, following consultation, there are no adverse comments to the proposed levels, the proposed fees and charges be implemented from 1 April 2024; and
- c) if, following consultation, there are adverse comments to the proposed levels, a further report be brought back to the Licensing Committee for consideration.

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### 14. Work Plan

The Work Plan was noted. It was further noted that an extraordinary meeting may be required before the next meeting to address changes to the legislation governing pavement licences, and that the Committee would be updated should this need arise.

THE MEETING WAS CONCLUDED AT 7:38PM

CHAIRMAN