

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Licensing and Enforcement Committee held at Online via the Zoom App on 18 November 2020

Attendance list at end of document

The meeting started at 10.00 am and ended at 11.00 am

51 Public Speaking

There were no members of the public who wished to speak.

52 Minutes of the previous meeting

The minutes of the meeting held on 3 September 2020 were agreed as a true record.

53 Declarations of interest

There were no declarations of interest.

54 Matters of urgency

There were no matters of urgency.

55 Confidential/exempt item(s)

There were no confidential/exempt items.

56 Quarterly Update

The Licensing Manager presented his report to the committee. It provided an update on the activities of the Licensing Service under the Licensing Act 2003, Gambling Act 2005, taxi, and general licensing and the new Business and Planning Act.

The Licensing Manager highlighted the licensing team's work covered many things across East Devon. This included:

- Applications received, licences issued and notices given under the Licensing Act 2003.
- Applications received, licences issued and notices given under the Gambling Act 2005.
- Taxis:
 - Applications received and licenses issued.
 - The impact of coronavirus on the taxi and private hire trade.
 - Enforcement.
 - Hearings.
 - Taxi ranks.
- Street trading consents – applications received and consents issued.
- Pavement licences.
- Consultation and partnership working – Safety Advisory Group meetings.
- Member training.

Since the last Licensing and Enforcement Committee meeting the Government had twice introduced further emergency legislation due to the coronavirus pandemic. The impact of coronavirus also continued to challenge the taxi and private hire trade, with fewer passengers using taxis late evenings or travelling to airports.

In response to a question regarding the number of disabled vehicles currently licensed, the Licensing Manager advised that he would report this figure back and that information was available on the Council's website.

The Committee agreed to write to ministers to lobby for a specific package of help for taxi and private hire drivers. Drivers at the moment did not currently appear to fit into any of the categories for government aid.

RESOLVED:

1. that the update report be noted.
2. that the Chairman and Licensing Manager write to the local MPs and Secretary of State requesting that government support be provided to taxi and private hire drivers who have been adversely affected by the coronavirus pandemic.

57 **Taxi Policy - Statutory Standards Policy**

The Licensing Manager's report informed the Licensing and Enforcement Committee of the recently published 'Statutory Taxi and Private Hire Vehicle Standards' issued by the Department for Transport and invited the committee to consider recommendations to meet the requirements in conjunction with the Council's policy. The Licensing Manager recommended that progress to adopt the statutory standards be considered in two phases; the first being changes to be adopted into the taxi policy by the end of the year, and the second being a full review along with consulting on further changes. The areas that required further consultation by the Council were detailed in the report. It was noted that there would be financial as well as resourcing implications and staffing arrangements would need to be reviewed.

Members discussed the cost of CCTV for taxi drivers. The CCTV would need to be audio and visual and EDDC would need to be data controller of the data, with significant costs involved. Discussion also took place on DBS checks, with the frequency changing from once every three years to six monthly. The committee felt that a review should be undertaken on an increase in staffing due to the additional work load put on the licensing team.

RECOMMENDED: that a phased approach be considered for revising the Council's Taxi and Private Hire policy in consideration of the new statutory standards:

1. to adopt key changes necessary under the new statutory standards by revising the current policy in the first phase by recommending to Council to adopt the revised Taxi and Private Hire Policy with amendments shown at Appendix C,
2. that a detailed review be conducted by officers for further policy changes under a second phase with regard to matters of vehicle emissions, CCTV in vehicles, national refusals register, fees, and safeguarding training,
3. that a review of staff training would be necessary to undertake the new and additional workload,
4. that a full consultation be undertaken before adopting the changes by 31 March 2022.

58 **Seaton Taxi Rank**

The Licensing and Enforcement Committee was asked to note the adoption and removal of the taxi ranks in Seaton following the necessary consultation with the public and relevant authorities. The Seaton seafront regeneration scheme would commence in early 2021 and as a result the existing taxi rank in Seahill would no longer be available by being designed out. The siting of the new rank to Castle Hill, in close proximity would maintain the rank numbers and give licensed taxis an alternative location to trade upon completion of the regeneration. There had been no representations of objection to the public notice phase.

RESOLVED: that the Licensing and Enforcement Committee in exercise of its powers under section 63 of the Local Government (Miscellaneous Provisions) Act 1976:

1. Notes that appointment of a taxi rank in Castle Hill, Seaton: North side from a point 20 metres west of its junction with Seahill for a distance of 10 metres in a westerly direction, to create 2 spaces at anytime 7 days a week; and
2. Revokes the taxi rank in Marine Place, Seaton: North side from a point 3 metres east of its junction with Seahill for a distance of 15 metres in an easterly direction.

59 **Licensing Policy Report**

The Licensing Manager's report updated the committee on the results of the public consultation to the proposed new Licensing Policy. It was a legal requirement of the Licensing Act 2003 for the Council to determine a Licensing Policy to provide a framework for all licence applications regarding the sale of alcohol, the provision of regulated entertainment and the provision of late night refreshment. The policy was last reviewed in 2015 and must be reviewed at least every five years, therefore a policy must be adopted by 7 January 2021. The main changes to the policy were outlined in the Licensing Manager's report.

On behalf of the committee the Chair thanked the Licensing Manager and his team for all their hard work and it was commented that the lack of specific responses to the proposed policy indicated how good it was and demonstrated general acceptance of it by businesses, bodies and public alike.

RECOMMENDED:

1. that the results of the public consultation undertaken on the Council's proposed Licensing Policy relating to the Licensing Act 2003 be noted.
2. that the East Devon Licensing Act 2003 Policy as attached to the report at appendix B, be adopted by the Council for the period 7 January 2021 to 6 January 2026.

Attendance List

Councillors present:

J Whibley (Chair)
K Bloxham (Vice-Chair)
M Chapman
A Dent
S Gazzard
N Hookway
P Jarvis
B Taylor

T Wright
T Woodward

Councillors also present (for some or all the meeting)

P Arnott
P Faithfull

Officers in attendance:

Lesley Barber, Licensing Officer
Amanda Coombes, Democratic Services Officer
Rebecca Heal, Solicitor
Lucy Maxwell, Licensing Officer
Giles Salter, Solicitor
Stephen Saunders, Licensing Manager
Alethea Thompson, Democratic Services Officer

Councillor apologies:

G Pratt

Chairman

Date: