

EAST DEVON DISTRICT COUNCIL

Minutes of the consultative meeting of Licensing and Enforcement Committee held Online via the Zoom app on 23 February 2022

Attendance list at end of document

The meeting started at 11.00 am and ended at 11.56 am

20 Public Speaking

There were no members of the public registered to speak.

21 Minutes of the previous meeting

The minutes of the meeting held on 17 November 2021 were accepted.

22 Declarations of interest

There were no declarations of interest.

23 Matters of urgency

There were no matters of urgency.

24 Confidential/exempt item(s)

There were no confidential / exempt items.

25 Quarterly Licensing Committee Report

The report from the Licensing Manager provided an update on the activities of the Licensing Service under the Licensing Act 2003, Gambling Act 2005, Taxi Legislation and General Licensing including Street Trading and Pavement Licences. The report covered the period from November 2021 to February 2022 and informed the Committee with regard to any strategic or national updates for each area of licensing work.

The Licensing Manager advised that two members of the Police Licensing team had sent apologies for this meeting, but would be able to attend the next meeting in April to answer any questions.

With regard to the report, the Licensing Manager highlighted the following points:

- There continued to be a small increase in taxi and private hire licences which contradicted the national trend for England and Wales.
- Training is mandatory for Members determining contested applications at licensing sub committee hearings. The Institute of Licensing offered a training event on 16th March 2022 which would be delivered virtually through Zoom. It was anticipated that training was likely to revert to in person events later in the year. Information would be circulated to those Members who had not yet attended training.

In response to the report, the following points were discussed:

- The figures in table 3.1.1 showed the licences registered at any one point during the year. Currently the number of licences was being maintained.

- With regard to the introduction of online application processes, Strata have now commenced the programming work for the online platform.
- Concern was expressed that training for Members continues to be an issue which results in a smaller number of trained Members available to sit on sub committee hearings.
- Refresher courses for trained Members would also be helpful and these could be accessed in various ways. The LGA is looking to provide licensing training in future and various podcasts and short online sessions, with accompanying notes, could also be accessed through the Cornerstone Chambers website (the link to be circulated following the meeting).
- With regard to taxi and private hire drivers based outside the area, it was noted that applications for licences are now predominantly from within East Devon and that applicants must have an operating address within the District.

Following the discussion on training, the Chair and the Licensing Manager would write to Group Leaders to request that, when appointing Members to the Licensing & Enforcement Committee, only those Members are appointed who are willing to attend training and are therefore able to fulfil all of their responsibilities as Committee and Sub Committee Members.

The Committee wished to record its thanks to the Licensing Manager for his comprehensive report and to the Licensing Team for its on-going work.

The update report was accepted and noted by the Committee.

26 **Report on NR3 Database**

The Committee considered the Licensing Manager's report on the proposed implementation and use of the Taxi and Private Hire National Revocation Register (NR3). This would enable the licensing authority to share details of individuals who have had a licence revoked or an application refused, NR3 being a nationally available means for councils to record and securely share details of revocations and refusals of those licences where the need is appropriate. It was proposed that implementation and use of NR3 for completing checks would commence in April 2022.

The Licensing Manager advised that members of the Taxi Association in Exmouth had shown their support for NR3 at a recent meeting.

In response to a question, the Licensing Manager advised that additional work would be needed to implement the data base, but that once it was up and running, the additional work involved for Officers would not be too onerous.

The Committee thanked the Licensing Manager for his report and unanimously supported the recommendation to implement and use the NR3 data base.

RECOMMENDATION

That the implementation and use of the Taxi and Private Hire National Revocation Register (NR3) be recommended for approval by Senior Officers.

DECISION

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

27 **Report on Taxi Fares**

The Committee considered a report from the Licensing Manager which provided an update regarding a proposed increase to the Hackney Carriage (Taxi) Fare Tariff. A proposed increase would enable the taxi trade within East Devon to continue to operate economically whilst still maintaining an efficient, safe and cost effective service for those residents and visitors who need to use the services of a Hackney Carriage.

Hackney Carriage Licensees were consulted with details of three options during January and the comments from all responses were shown at Appendix B of the report. Responses supported an increase to both Tariff 1 and Tariff 2 by increasing the 'flag' fare by 5.7%.

The Licensing Manager advised that the Taxi Association had requested that the Committee considers an increase of 10%, due to inflation and increasing fuel costs, with a review every two years.

If the Committee was minded to propose a 10% increase, the revised figures would be included in the next stage of the statutory process by way of a public notice in a local newspaper explaining the changes. The public would then have 14 days to make comments on the proposals.

Following discussion the Committee unanimously agreed with the request from Hackney Carriage (Vehicle) licence holders to increase the current Hackney Carriage Table of Fares by 10% and that a timescale through the statutory procedure should be set.

RECOMMENDATION

That the request from Hackney Carriage (Vehicle) licence holders to increase the current Hackney Carriage Table of Fares by 10%, and a timescale through the statutory procedure, be recommended for approval by Senior Officers.

DECISION

The recommendation was approved by a Senior Officer. The Senior Officer Decision Notice is listed above under Additional Documents.

Prior to the close of the meeting, it was agreed to request a written update from EDDC Environmental Health on their areas of licensed activity.

Attendance List

Councillors present:

J Whibley (Chair)

K Bloxham (Vice-Chair)

M Chapman

A Dent

B Taylor
T Wright

Councillors also present (for some or all the meeting)

None

Officers in attendance:

Rebecca Heal, Solicitor
Sarah Helman, Democratic Services Officer
Sarah Jenkins, Democratic Services Officer
Lucy Maxwell, Licensing Officer
Giles Salter, Solicitor
Stephen Saunders, Licensing Manager

Councillor apologies:

S Gazzard
M Hartnell
P Jarvis
G Pratt
T Woodward

Chair

Date: