

LICENSING AND SAFETY COMMITTEE
24 JUNE 2021
7.30 PM



Present:

Councillors Porter (Chairman), Brossard (Vice-Chairman), Allen, Atkinson, Dr Barnard, Brown, Brunel-Walker, Finch, Ms Gaw, Gbadebo, Mrs Ingham, Kirke and Leake

Apologies for absence were received from:

Councillors Mrs McKenzie-Boyle and Tullett

4. Declarations of Interest

There were no declarations of interest.

5. Minutes

The minutes of the meetings held on 16 December 2020 & the Annual Meeting of the Committee on the 28 April 2021 were approved as a correct record.

6. Urgent Items of Business

There were no urgent items of business.

7. Notice of Public Speaking

There were no public speakers

8. Draft Statement of Gambling Principles

David Lucas from James Button and Co presented a report to the committee on the draft statement of gambling principles. The principles specified the position of the local area profile. Section two had updated the license conditions in relation to door supervisors so they reflected the latest guidance and there was clarification regarding the word 'tracks' and the types of venue were included under that description.

Following questions, the following points were noted:

- The policy prepared did not focus on the local authorities ability to hold a lottery as it is not within the local authorities' remit. In the interest of transparency, Local Authorities are asked to make clear that it has the relevant licenses issued by the Gambling Association.
- It was questioned whether the areas of deprivation could be updated and it was confirmed that section 1.2 would be amended by officers.
- It was requested that a document with 'tracked changes' was circulated to members.

RESOLVED that the committee that approve the draft Statement of Gambling Principles

9. Hackney Carriage and Private Hire Trade Meeting Update

Moira Fraser, Principal Officer – Governance, presented to Councillors a report on the latest Hackney Carriage and Private Hire Trade Meeting.

Following questions it was noted:

- It was confirmed that Uber drivers were not being stopped from coming into the Bracknell Forest area and there were no legislative powers to stop them. If the drivers were parked legally, there was nothing to prevent Uber drivers operating in the area as they weren't applying for hire.
- Private hire vehicles which were left unattended must pay for parking

10. **Review of Hackney Carriage Tariffs**

Niamh Kelly, Licensing Officer, presented to Councillors a review of guidance notes and conditions for hackney carriage and private hire vehicle owners, operators and drivers. It was confirmed that the charges would be increasing, with the proposed tariffs detailed in the report.

Following questions, it was noted:

- The cost of running vehicles had gone up which added to the overall running costs for drivers.
- Drivers must charge residents what is on the meter reading. The minimum charge for the consumer would be a maximum of £3 but they were able to charge less.

It was noted that the next stage would be to go out to consultation.

RESOLVED that the committee approve the recommendation.

11. **Review of Guidance Notes and Conditions for Hackney Carriage and Private Hire Vehicle Owners, Operators and Drivers**

Niamh Kelly, Licensing Officer, presented to Councillors a review of guidance notes and conditions for Hackney Carriage and private hire vehicle owners, operators and drivers which had its first amendment in eight years. The report sought approval to make amendments to the guidance.

Following questions it was noted:

- It was questioned what evidence the maximum age of the vehicle was based on and it was confirmed it was based on the mileage. If it is under 200,000 miles, the vehicle would be under the average mileage.
- It was requested whether the age of vehicle policy could be reviewed
- There was an update to remove the disparity in the wording 32.2 around new and renewal of licenses to both have the option to appeal to the panel, should their licence be refused. It was thought that all applicants should be treated equally.
- It was questioned whether drivers appealing to Magistrates would be able to keep working until the appeal would be heard and it was confirmed that this would vary depending on the reason why. If the driver had failed due to a DBS check then they would be suspended until there was a decision from the Magistrate.
- It was confirmed that this policy would go out to consultation and reviewed once the responses were back.
- It was hoped that independent evidence could be sought when the policy returns to the committee to validate any decisions made coming out of the consultation.

RESOLVED that the committee approve the amendments and additions to the Guidance Notes and Conditions document set out at Annex A for consultation subject to the below amendments:

1. **RESOLVED** to amend the age of the vehicle in amendment 9.1 however following the consultation the full criteria for extending licenses should come back to the panel to ensure the policy is robust.
2. **RESOLVED** that the wording of Amendment 32.2 should include the wording “new and renewals.”

12. **Urgent delegated decisions**

The Chair updated the Committee on an urgent decision taken to extend vehicle inspections by a further 6 months during the COVID pandemic. All drivers have responsibility to ensure their vehicles were roadworthy.

13. **Minutes of Licensing Panels**

The minutes of the licensing panel held on 19 November 2020: New club premises licence, Crowthorne Rugby Football Club were approved as a correct record.

CHAIRMAN