

**LICENSING AND SAFETY COMMITTEE**  
**24 OCTOBER 2024**  
**7.30 - 8.04 PM**



**Present:**

Councillors Welch (Chair), O'Regan (Vice-Chair), Allen, Bidwell, Cochrane, Frewer, Frost, Gaw, Harrison, Purnell, Smith, C Thompson and Zahuruddin

**Apologies for absence were received from:**

Councillors Mossom

**9. Declarations of Interest**

There were no Declarations of Interest.

**10. Minutes**

An amendment was made to the previous minutes to reflect the Committee's request for a report on the Public Protection Partnership's work on park homes to come to a future meeting.

Subject to this amendment, it was **RESOLVED** that the minutes of the meeting held on 20 June 2024 be approved as a correct record.

**11. Urgent Items of Business**

There were no Urgent Items of Business.

**12. Notice of Public Speaking**

The Committee received one application for public speaking from Manoj Laxmicanta on a number of agenda points. The Chair agreed to take this item before the Fees and Charges report.

**13. Draft Statement of Licensing Policy Principles under S349 of the Gambling Act 2005**

Mark Groves, Lead Licensing Officer presented the Draft Statement of Gambling Principles 2025-2028.

The Council was required to publish an updated Statement of Gambling Principles every three years, and the current Statement of Principles was due to expire in January 2025. A consultation period would be held between 25 October 2024 and 6 December 2024, with the outcome coming to a special meeting of the Licensing & Safety Committee on 19 December 2025. The final report would be presented to Full Council for adoption in January 2025.

The consultation process included writing to the Chief Officer of Police, people running gambling businesses in Bracknell Forest, and those who were likely to be affected by the principles. Members were asked to submit any further consultees to the Licensing team. Notices would also be displayed on the Bracknell Forest Council

and Public Protection Partnership website, and a hard-copy notice put up at Time Square.

The document had been significant amended in 2022, and the proposed revision included two minor changes. These were an update to the population figure for Bracknell Forest, and the inclusion of a definition of gaming machines in the glossary.

Members recognised the need to hold a special meeting on 19 December 2024 to recommend the Draft Statement of Gambling Principles to Council for adoption in January 2025.

Members noted that the inclusion of a definition of gaming machines in the glossary was an addition to the document, and not a changed version.

**RESOLVED** that

- 1 The Committee approve for consultation the revised draft Statement of Licensing Policy Principles prepared under Section 349 of the Gambling Act 2005 as appended to the report.
- 2 The Service Lead - Public Protection is authorised to proceed with formal consultation for a six-week period between the 25 October 2024 and the 06 December 2024.
- 3 The parties as set out in paragraph 5.10 of the report be consulted.
- 4 Any comments on the revised Statement be brought to the Special Licensing and Safety Committee meeting due to be held on 19 December 2024 for discussion prior to the report being formally presented for adoption at the 8 January 2025 Council meeting.

**Public Speaking: Manoj Lacximicanta**

Manoj Lacximicanta spoke to the Committee on various matters affecting the taxi trade.

In his speech, Manoj spoke about concerns of hackney carriage drivers regarding loss of trade to free bus services to industrial estates and the competition with Uber drivers.

Manoj commented that the hackney carriage trade would like to introduce a mixed fleet including saloon cars, as opposed to the compulsory wheelchair accessible requirements at present.

Manoj made a number of comments relating to the taxi policy which would be discussed at a future Committee meeting, including comments on the certificate of good conduct, vehicle age policy review, geographical knowledge retake test requirement, and badge requirements.

Members of the trade proposed that members freeze the licence fees for the upcoming year.

Manoj commented on the ongoing issues at the Waitrose taxi rank and invited members to visit.

Members of the trade had requested officers to put up signage on taxi ranks to inform

customers that electronic card payments could be taken. Officers from the Public Protection Partnership were pursuing the matter with Highways colleagues.

#### 14. **Fees and Charges 2025/2026**

Moira Fraser, Principal Officer: Policy and Governance presented the Fees and Charges 2025/26.

Members received the proposed fees for 2025/26 which had been considered at a Joint Public Protection Committee meeting on 11 October 2024. The fees included both statutory fees which had not increased since 2011, and discretionary fees which were set each year. The discretionary fees were proposed to increase by 3% in 2025/26 to an hourly rate of £69 to reflect an uplift in officer salaries. The Joint Public Protection Partnership had been supportive of the increase.

While the comments of the taxi trade were noted, all fees within the Public Protection Partnership were set on a cost recovery basis. Should fees be frozen, Bracknell Forest Council would need to meet the shortfall from elsewhere within the organisation

Taxi licensing legislation required that a statutory consultation be undertaken in respect of taxi vehicle and operator fees and a statutory 28 day consultation was proposed to be held between 30 October 2024 and 27 November 2024. The consultation would include writing to the trade, putting up a notice at Time Square, publishing the consultation on the website and promoting it via a press release and social media posts.

Arising from questions, the following points were noted:

- While officers did keep an eye on fees in neighbouring authorities, fees were set on a cost recovery basis.
- Members noted that the proposed uplift included the provision of safeguarding training, and it was noted that a safeguarding lead was now in place within the Public Protection Partnership who would take the lead on safeguarding training going forward.
- It was noted that the Joint Public Protection Partnership had agreed that the Licensing Chairs and Executive Members across Berkshire should write to the Secretary of State to get the statutory charges reset to a reasonable level. Councillor Welch agreed that this would be done on Bracknell Forest's behalf.

#### **RESOLVED** that

- 1 save for the Private Hire Operator, and Hackney Carriage and Private Hire Vehicle licence fees, the Committee recommends to the Executive and Council the 2025/26 fees and charges detailed in Appendix A.
- 2 the fees for Private Hire Operators and Hackney Carriage and Private Hire Vehicle licence fees are subjected to a twenty eight day statutory consultation period from 30 October 2024 to 27 November 2024 as set out at 5.14 of the report.
- 3 if no objections are received, the charges for operators and vehicle licence fees are included in the February 2025 Executive and Council papers for approval; or if objections are received, they be considered by the Licensing and Safety Committee at the meeting on 30 January 2025 and any changes be recommended to Council for approval

15. **Minor Updates to Statement of Licensing Policy arising from Revised S182 Guidance**

Vikki Rigden, Licensing and Lead Applications officer presented the Minor Changes to the Licensing Policy Arising from Amended S182 Guidance report.

The existing Licensing Policy had been adopted by Full Council in January 2021, and while the Policy could remain in place for up to five years, revised Section 182 guidance issued on 18 December 2023 relating to spiking included some examples of good practice to include in the local policy. Under the revised policy, applicants would be required to demonstrate the steps they would take to address spiking under their operating schedule. Spiking would also be defined in the Policy's glossary section.

The Public Protection Partnership was part of a wider partnership arrangement to support community safety and reduce the risk of harm to women and girls. As part of this work, work had been undertaken with Thames Valley Police, licence holders and Pubwatch to raise awareness of drink spiking.

**RESOLVED** that

- 1 the changes, referred to in this report, to the Home Office's Statutory Guidance issued under Section 182 of the Licensing Act 2003 that was revised in December 2023 be noted
- 2 proposed minor amendments to Bracknell Forest Council's Statement of Licensing Policy referred to in this report, with or without modification be recommended for approval by full Council at its meeting on 8 January 2025
- 3 full Council, at its meeting on 08 January 2025, be recommended to amend the Council's approved scheme of delegation on licensing functions under the licensing Act 2003 and associated regulations, to delegate, to the Licensing and Safety Committee, any future minor amendments to Bracknell Forest Council's Statement of Licensing Policy as may be deemed necessary by that Committee as a result of any future minor revision to the Home Office's Statutory Guidance issued under Section 182 of the Licensing Act 2003.

16. **Hackney Carriage and Private Hire Trade Meeting Update**

Moira Fraser, Principal Officer: Policy and Governance updated the Committee on the recent Hackney Carriage and Private Hire trade meeting on 14 October 2024.

The Vice Chair of the Licensing and Safety Committee and Public Protection Partnership officers had met with three members of the trade to discuss matters affecting the trade. Members had received the notes from the meeting.

Moira noted that during the public speaking item of this meeting, Manoj made reference to the geographical knowledge test. Members were reminded that this Committee had agreed to retain the test, but that this decision could be revisited at members' request. The geographical test was one part of the wider knowledge test which drivers must undertake

In response to questions, the following points were noted:

- The relationship between Bracknell Forest Council licensed drivers and Uber was a matter for themselves. Members were reminded that Uber drivers were licensed by Transport for London, and as such, the local authority did

not have any direct influence over their conduct unless they did not operate in accordance with their licence for example they could not ply for hire or park on Bracknell Forest Hackney Carriage ranks

- Members commented that there was nothing to stop the local trade joining Uber

**CHAIR**