

**LICENSING AND SAFETY COMMITTEE
21 OCTOBER 2021
7.30 - 8.50 PM**



Present:

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

Apologies for absence were received from:

Councillors Tullett

Also Present:

Councillor Mrs Hayes MBE

14. Declarations of Interest

There were no declarations of interest.

15. Minutes

The minutes of the meeting held on 24 June 2021 were approved as a correct record.

16. Urgent Items of Business

There were no Urgent Items of Business.

17. Notice of Public Speaking

There were no applications for public speaking.

18. Statement of Gambling Principles

David Lucas of James Button & Co attended the meeting to present the final version of the Statement of Gambling Principles.

The Statement had to be prepared every 3 years, and the previous Statement had been updated including a change of description of the borough.

The document had gone out to consultation and had received no responses, comments or objections.

Having discussed the matter, it was **RESOLVED** that:

- 1 The outcome of the consultation be noted.
- 2 The amendments to the draft Statement of Gambling Principles arising from the consultation be agreed.

- 3 Authority be delegated to the Public Protection Partnership Manager, in consultation with the Chairman of the Licensing and Safety Committee Chairman, to make any minor corrections to the report prior to inclusion in the council agenda.
- 4 The Statement be recommended to Full Council for adoption.

19. **Fees and Charges 2022/23**

The Committee received a report on the fees and charges which had been considered at the Joint Public Protection Committee on the 13 September 2021. The fees and charges were being considered by each Licensing & Safety Committee within the Public Protection Partnership and would go through the system to sign off by Full Council.

The fees had been aligned across the Public Protection Partnership as officers were in the process of moving to a set of standardised processes and systems across all Partnership authorities. The new IT system would allow for significant efficiencies to be made in some areas, and these efficiencies would be passed on to the trade. An example was a reduction in new and renewal Hackney Carriage licences which had both reduced due to the reduction in processing time due to the new system.

Members of the taxi trade had fed back that they had concerns about the additional cost of mandatory safeguarding and disability training. In response to this concern, driver renewal fees now included the cost of mandatory training which would be delivered inhouse.

The schedule included a mix of discretionary and statutory fees, and it was recognised that officers did not have control of statutory fees. A £59 hourly fee had been set going forward.

It was noted that the street trading offers across the two Partnership authorities had been aligned to offer five different street trading consent periods. This change would offer Bracknell Forest traders significant savings.

In response to questions, the following points were noted:

- Members welcomed the reduction in some savings which would help traders and small businesses across the borough, and thanked officers for their work in creating these efficiencies in the new system.
- Members were assured that the new shared service with West Berkshire would be refocussed on the priorities of the remaining two authorities after Wokingham left the Public Protection Partnership.
- Negotiations were ongoing around Wokingham's request to retain some of the Public Protection Partnership's services, but members were assured that any arrangement would be subject to agreement from Bracknell Forest and West Berkshire.
- It was noted that during the pandemic, there had been challenges for the taxi trade in accessing DBS checks and drivers had been required to use the West Berkshire system based on Bracknell Forest's building closures. The DBS check fee would always be based on the cost of the authority for DBS checks and would return to the Bracknell Forest fee when the building was re-opened for checks to be carried out.
- Drivers could sign up for a DBS update service which cost £13 per year, which was a reduction on the current fee. The update service would eventually be mandatory for all drivers.

- Officers were confident that the issues around dog boarding and animal licences from the previous year's fees and charges would not be repeated, as the fees had been reduced and the level of compliance had gone up over the year.
- It was suggested that the schedule be amended before going out to consultation to highlight the fact that mandatory training costs were now included in the drivers' licence fees, so that drivers were assured that their fee was not increasing.
- Sean Murphy agreed to seek clarification around the annual inspection fees on private sector housing which had increased.
- It was noted that fees were charged at a minimum of half an hour for officer time.
- Officers remained confident that the hourly rate would remain the same or very similar over the next few years., however the costs would be reviewed as part of the move to a two-authority partnership.
- The joint IT system had been procured for use across the two authorities, and the data transfer was being progressed to be live by February 2022. As a significant proportion of the new system would be automated, officers would be running training sessions for taxi drivers and other licence holders to encourage take-up. The costs had been calculated based on the assumption that a high proportion of transactions could be undertaken through the automated system.
- The trade would be informed about the new automated system and associated training sessions by email and in the trade newsletter.

Having discussed the matter, it was **RESOLVED**:

- 1 That, save for the private hire operator, and hackney carriage and private hire vehicle licence fees, the Committee **RECOMMENDED** to the Executive the new fees and charges detailed in Appendix A, for public consultation.
- 2 That the Committee **AGREED** that the proposed charges for operators and vehicle licence fees are:
 - a) put forward for statutory consultation;
 - b) if no objections are received, implemented for any licences commencing from 1 April 2022; or
 - c) if objections are received, they be considered by the Committee at the meeting on 03 Feb 2022 and any changes be recommended to full Council for approval.
- 3 That the Committee **AGREED** that the fees for Taxi and Private Hire Vehicles and Private Hire Operators are subjected to a twenty eight day statutory consultation period from 10 November 2021 to 08 December 2021.
- 4 That the Committee **AGREED** that a public notice pertaining to the Taxi and Private Hire Vehicles and Private Hire Operators fees is placed in the Bracknell News.
- 5 That the Committee **AGREED** that a consultation letter is posted to all Taxi and Private Hire Drivers and Private Hire Operators and that a copy of the consultation is posted on the Public Protection Partnership website.

20. **Licensing Act 2003 Delegations**

The Committee received a report on the Licensing Act 2003 which corrected some areas in the scheme of delegations. The changes were in regards to a reference to S134A which should read S132A, a change to make the power to suspend or revoke a personal licence a sub-committee decision, and a change to make the early morning alcohol licence a Council decision rather than Executive decision as was set out in the legislation.

It was **RESOLVED** that:

- 1 The Chief Executive be recommended to sign off the changes in light of the authority delegated to them to do so at the Council meeting in April 2021.
- 2 The Monitoring Officer be delegated authority to make any changes to the Constitution arising from this report.

21. **Annual Report 2020/21**

The Committee received the Annual Report of the Licensing section over 2020/21.

In response to questions, it was noted:

- Members welcomed a clear annual report.
- The detail behind the number of complaints and requests for service could not be separated in this instance, but it was noted that the complaints received would have been about a license holder rather than about the Public Protection Partnership service. Officers agreed to separate out the complaints and requests for service for the next year's annual report.
- Members requested that for next year's annual report, the number of refusals and suspensions be separated.
- It was noted that next year, the annual report would be brought before Committee earlier in the year.

Members noted the Annual Report.

22. **Taxi Liaison Update**

The Committee received a verbal update on the taxi trade group since the last Committee meeting.

The trade group had met virtually on 4 October with eight trade representatives present. The meeting had covered the fees and charges, the change to offer drivers 3 year licences only, illegal parking on taxi ranks, drivers' concerns around Jubilee Gardens, safeguarding training, and repairs to the train station rank. Environmental Health officers had done a presentation on anti-idling and it was hoped that drivers could be ambassadors for this on home to school transport.

A draft of a new Private Hire and Hackney Carriage policy would be presented to the Committee in February which addressed a number of concerns and outstanding actions arising from the trade meetings.

In response to questions, the following points were noted:

- Members thanked officers for their efforts in maintaining a continuous dialogue with the trade and for addressing their concerns. It was noted that the Chairman and Vice-Chairman of the Committee had attended all the trade meetings to further improve the relationship.

- Members held a minutes' silence for two drivers who had passed away in recent months and gave their condolences to the families of these drivers.

23. **Forward Plan**

Members noted the Forward Plan for future committees.

Officers were reminded to include the Annual Report and review of street trading consent for future meetings.

24. **Any Other Business**

Members were informed of the outcome of the SS Food and Wines licensing panel which had been to appeal. The magistrates had found in favour of the Council, and the licence had been suspended for 3 months. The licence had been further extended as the premise owner had taken time to vary their Designated Premises Supervisor and the licence had remained suspended until this variation had been finalised.

CHAIRMAN