

**LICENSING AND SAFETY COMMITTEE**  
**23 JUNE 2022**  
**7.30 - 8.25 PM**



**Present:**

Councillors Porter (Chair), Brossard (Vice-Chairman), Allen, Finch, Ms Gaw and Kirke

**Present Virtually:**

Councillors Bidwell, Gbadebo and Mrs McKenzie-Boyle

**Apologies for absence were received from:**

Councillors Atkinson, Dr Barnard, Brown and Mrs Ingham

**4. Voting**

Councillors Michael Gbadebo, Paul Bidwell and Mrs Tina McKenzie-Boyle attended the meeting remotely and therefore took part in the debate but did not vote on any of the items.

**5. Declarations of Interest**

There were no declarations of interest.

**6. Minutes**

The minutes of the meetings held on 03 February 2022, 12 May 2022 (special) and 18 May 2022 (annual) were approved as correct records.

**7. Urgent Items of Business**

There were no urgent items of business.

**8. Notice of Public Speaking**

There were no applications or public speaking.

**9. Annual Report of the Licensing & Safety Committee**

Moir Fraser in introducing the report explained that it set out the work of the Licensing and Safety Committee and the Licensing Panel in 2021/22 and explained the context of providing licensing functions through the Public Protection Partnership.

In response to a query Officers explained that the reduction in the number of penalty points issued could be due to a reduction in the number of misdemeanours by the trade as well as the fact that due to the pandemic licensing officers had not been out as much.

Officers agreed to see if any additional information could be published to assist disabled residents wanting to use taxis in the evenings. It was suggested that this could include a list of wheelchair accessible vehicles that operated at night. The

Chairman stated that he would raise this issue with the trade at the next Taxi Liaison Group meeting.

It was explained that Licensing Officer Job Descriptions were currently being taken through the evaluation process with a view to making the remuneration more attractive to assist the recruitment campaign.

Members asked that the data in the appendices relating to the number of home to school transport providers and the number of pet shops be revisited.

Having discussed the annual report it was **RESOLVED** that it be noted.

#### 10. **Outcome of the Hackney Carriage Tariff Consultation**

Damian James reported that a report had been discussed at a special meeting on the 12 May to discuss the business case put forward by the trade to increase the existing tariffs. The Licensing and Safety Committee were supportive of the proposals which were then agreed by the Executive at their meeting on the 24 May.

The ensuing consultation ran from the 01 June to the 15 June and was promoted in the usual way with a notice placed in the Bracknell News, information being included on the website and notices being put up at Time Square. Officers also wrote to the taxi trade directly. A press release was issued and social media posts put out.

No objections were received and so the revised tariffs came into operation from the 16 June. Officers liaised with the meter agents and trade and a drop in day to recalibrate the meters took place at the Leisure Centre on Saturday 18th June 2022.

The Committee noted the update.

#### 11. **Hackney Carriage and Private Hire Licensing Policy**

James Button in introducing the report explained that he had been asked to review the existing policy in light of the Department for Transport guidance issued in June 2020. The guidance "Statutory Taxi and Private Hire Vehicle Standards" required local authorities to review, revise and update their policies in relation to hackney carriage and private hire licensing.

The Committee was being asked to review the draft policy which would then be subjected to a twelve week consultation. The policy was designed to provide clarity for the trade, those seeking to be licensed as well as residents.

In drafting the policy Mr Button had taken cognisance of the existing policy, the guidance, legislation and best practice in other authorities. He hoped that the layout was logical and explained that the formatting and appearance would be reviewed prior to consultation.

In discussing the policy it was noted that:

- The request to include reference to comprehensive insurance had been picked up in paragraph 1.21
- While some of the elements of the Penalty Points Scheme could be deemed to be subjective it was preferable to trying to introduce a more rigid enforcement tool. It would afford the licensee with the opportunity to accord with the required standards of behaviour and had built in opportunities for appeal to the Licensing Panel. Where licenses were revoked there was also an opportunity to appeal to the Magistrates' Court, and further right of appeal

to the Crown Court in relation to any refusal to grant or renew a driver's licence, or suspension or revocation of a drivers licence.

- Some of the data in section 1.1 which described the borough needed to be updated.
- The relevant byelaw needed to be inserted into paragraph 18.26.
- The age of vehicle requirements in the current policy had been replaced with the need to meet the Euro 5 or Euro 6 emissions standards where vehicles were being submitted for grant or renewal of a licence.
- It would be useful to clarify that this policy provided guidance and as it was a policy it would be permissible to deviate from it in some circumstances. This was achievable as each application would be judged on its own merits.
- Members in reviewing the options in the policy which were delineated by the use of red text agreed that the Safeguarding and Disability Awareness Training should be undertaken every three years. The frequency was designed to reflect the importance of the training as well as the fact that guidance on these matters was regularly being amended. The costs were also built into the licensing fees.
- They also agreed that in terms of the Pre-requisites to Making an Application the second option should be included which would permit the issuing of a short term licence where the application had not been granted prior to the current licence expiring.
- Where a short term licence had been granted it would be deemed to be a lawfully issued licence for the purposes of insurance etc and any transgressions would be treated in the same way as if a normal licence had been granted.
- Members welcomed the use of the word may in this paragraph.

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

1. Officers should consult on the draft Hackney Carriage and Private Hire Licensing Policy set out in Annex A subject to the changes agreed at the meeting, and
2. On conclusion of the consultation and consideration of responses, the matter will return for further consideration at the 20 October 2022 Licensing and Safety Committee meeting prior to a recommendation being made to Full Council around the adoption of the policy.

**CHAIRMAN**