



East Cambridgeshire District Council

Minutes of a Meeting of the Licensing Committee

Held at The Grange, Nutholt Lane, Ely, CB7 4EE at 10:00am
on Wednesday 14 February 2024

Present:

Cllr Christine Ambrose Smith
Cllr Charlotte Cane
Cllr Lavinia Edwards
Cllr Martin Goodearl
Cllr Keith Horgan (Vice-Chairman)
Cllr Julia Huffer (Chairman)
Cllr Mark Inskip
Cllr Kelli Pettitt
Cllr John Trapp
Cllr Gareth Wilson

Officers:

Stewart Broome – Senior Licensing Officer
Angela Tyrrell – Senior Legal Assistant
Hannah Walker – Trainee Democratic Services Officer

In attendance:

Jess Tobin - ICT Support Officer

18. Apologies and substitutions

Apologies for absence were received from Cllr Whelan.

19. Declarations of interest

No declarations of interest were made.

20. Minutes

The Committee received the Minutes of the Licensing Committee meeting held on 13 December and the Licensing (Statutory) Sub Committee meetings held on 24 November, 7 December, and 13 December 2023.

It was resolved unanimously:

That the Minutes of the Licensing Committee meeting held on 13 December, and the Licensing (Statutory) Sub Committee meetings held on 24 November, 7 December, and 13 December 2023 be approved.

21. Chairman's announcements

There were no Chairman's announcements.

22. Department for Transport (DfT) – Best practice guidance update

The Committee considered a report, Y143 previously circulated, that contained a summary of the Department for Transport's (DfT) Best Practice Guidance for England published in 2023 for Members to consider. The DfT last published guidance on taxi and private hire vehicle licencing in 2006 and 2010. The Licensing Policy was last updated in November 2023 following a consultation which received no comments.

The Hackney Carriage and Private Hire Licensing Policy (HC&PH policy) did contain most of the best practice guidance released by the DfT such as a points-based enforcement system, regularly reviewing fee charges, and taxi drivers undertaking safeguarding and disability awareness training which was now a computerised test. The Licensing Authority also ensured that there were no quantity restrictions on Hackney Carriages, no mandatory age limits on vehicles, having regard to the Regulator's code when setting standards, and regard to the Public Sector Equality Duty.

The Licensing Authority took their role very seriously and placed public safety at the forefront of all decisions made by Officers. The DfT best practice guidance focussed on putting accessibility at the forefront of Licensing Authority's minds, including finding suitable vehicles and improving the experience of booking and riding a journey in a licensed vehicle, and to this extent recommended licensing authorities maintained an Inclusive Service Plan (ISP) either in their taxi policy or as a stand-alone document.

The Council maintained an Equality, Diversity and Inclusion Policy, but it did not cover accessibility issues surrounding taxi and private hire vehicle use. The Licensing Authority were committed to improving accessibility and Officer's recommended work be commenced on producing a specific taxi and private hire Inclusive Service Plan (ISP), which would be brought back to a future committee for further consideration.

A Member queried what regard was present in the Public Sector Equality Duty in relation to the trade, the Senior Licensing Officer explained that the Public Sector Equality Duty related only to the work that the Council was obliged to consider when proposing any changes or making any decisions, it was not directly applicable to the trade. He further advised Members that the Licensing Authority also carried out Equality Impact Assessment's, but they do not run the taxi service or employ taxi drivers and could not force drivers to buy certain types of vehicles for instance.

In response to Member questions, the policy would be the same for private hire and hackney carriages and driver's do have responsibilities under the Equalities Act. The Senior Licensing Officer explained that he would not foresee the entire

fleet being wheelchair accessible for instance but would ensure the policies were fair and equal, the trade already followed the safeguarding and code of conduct policies in place with the aim of diversifying the fleet.

A Member queried who the ISP was targeted at, the Senior Licensing Officer confirmed that it would be the Council's approach to people obtaining the licences and not the employers. The ISP could include changes such as requiring vehicles to provide braille and hearing loops to improve accessibility.

In response to a further Member question, the additional costs for implementing accessibility measures such as a hearing loop could be sourced by a discretionary fee, estimates suggested to have a braille internal plate would cost between 60p-70p. The Senior Licensing Officer would investigate external funding options dependent on the work needed. Once the ISP had been formulated then it would go out to consultation to the entire trade including equality groups, and if it was felt there were any groups Members missing from the list of consultees they could be added at that time.

In response to a Member question regarding timescale, the Senior Licensing Officer expected that the consultation would go out this autumn 2024, to be finished and concluded before Christmas 2024. The Licensing Team's diary was very busy, and the Gambling policy consultation would be due to go out at the end of the year.

The Chairman thanked the Licensing Team for their hard work and would look forward to the ISP coming back to Committee.

It was resolved (unanimously):

That work on producing a specific taxi and private hire Inclusive Service Plan (ISP) be commenced and brought back to a future committee for further consideration.

23. Senior Licensing Officer's update

The Committee considered a verbal report containing the following updates from the Senior Licensing Officer:

- As alluded to the Gambling policy needed updating, and it would be reviewed in the summer and go out to consultation at the end of the year, and then formally adopted by Council.
- The Licensing Authority continued to a see record number of applications, with 150 applications excluding enquiries and routine reminders received in the past 6 weeks.
- A Licensing Officer was currently on sick leave and the department remained very busy.

- The Senior Licensing Officer had hoped to bring the conclusion of the animal welfare prosecution case, however they were still waiting for the outcome after the sentencing was adjourned.
- An appeal by the licence holder had been lodged against the Sub-Committee decision towards the review of a licence for Londis Fordham which was revoked.
- They were yet to conclude an appeal against a driver refusal made last year which was due to be determined in March 2024.

24. Forward agenda plan

The Chairman and Senior Licensing Officer agreed to cancel the 13 March 2024 Licensing Committee meeting but would schedule a Committee meeting in April. The updated enforcement policy would be brought to the April Committee meeting.

It was resolved:

That the 13 March 2024 meeting would be cancelled and a meeting in April would be scheduled, and the Forward Agenda Plan be noted.

The meeting concluded at 10:34am

Chairman.....

Date.....