

AGENDA ITEM NO. 3



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of a meeting of the Licensing Committee facilitated via the Zoom Video Conferencing System at The Grange, Nutholt Lane, Ely on Wednesday, 14th October 2020 at 9:30am.

PRESENT

Cllr Julia Huffer (Chairman)
Cllr David Ambrose Smith
Cllr Sue Austen
Cllr Lavinia Edwards
Cllr Mark Inskip
Cllr Alec Jones
Cllr Alan Sharp
Cllr Jo Webber
Cllr Gareth Wilson

OFFICERS

Stewart Broome – Senior Licensing Officer
Maggie Camp – Legal Services Manager and Monitoring Officer
Liz Knox – Environmental Services Manager
Adrian Scaites-Stokes – Democratic Services Officer
Angela Tyrrell – Senior Legal Assistant
Russell Wignall – Legal Assistant

19. **APOLOGIES**

Apologies were received from Councillor Simon Harries.

20. **DECLARATIONS OF INTEREST**

No declarations of interest were made.

21. **MINUTES**

It was resolved:

That the Minutes of the Licensing Committee meeting held on 9th September 2020 be confirmed as a correct record and be signed by the Chairman.

22. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made no announcements.

23. **MISCELLANEOUS TAXI LICENSING POLICY AMENDMENTS**

The Committee considered a report, V88 previously circulated, that sought approval of minor amendments to the existing Private Hire and Hackney Carriage Licensing Policy.

The Senior Licensing Officer informed the Committee about the salient points of new Government statutory guidance for taxis and asked for approval to agree consequential changes required for the relevant Policy. The Government had been called to overhaul the legislation controlling taxis but this had not yet happened. There had also been a request for more consistency with the licensing of vehicles, drivers and operators and determining whether someone was 'fit and proper'. This situation was being looked at for improvement due to issues of sexual exploitation within the taxi trade, which had a damaging effect on the trade's reputation.

Members had approved the Council's last version of the Policy in 2017, which came into effect in 2018. This had incorporated some improvements but it had also been reviewed in 2019, with some minor amendments included. New amendments were now required so the Policy adhered to the Government guidance. The guidance also covered procedural matters, which did not need including in the Policy.

Table 1 in the report set out the requirements of the new guidance, whether any action was needed to amend the Policy to suit and listed the tracked changes in proposed revised Policy, as shown in Appendix 1. Some requirements were already in place in the Policy, including whistleblowing, changes having to be retrospective, disclosure to the Police, referrals to the Disclosure and Barring Service (DBS) and a complaints system. Amendments were needed, and had been highlighted in Appendix 1, and included the timescale for DBS checks, convictions notifications, Member safeguarding training, possible requirement for CCTV in vehicles and new operator conditions.

As a consequence, the complaints scheme would be looked at for improvement, the requirement for Member training would be resolved, some clarity would be sought over the list of barred people who should not be licensed and oral and written skills, a consultation could be undertaken on the use of CCTV and cross-border licensing enforcement activities would be worked on with local contemporaries.

Although there was not a legal requirement to amend the existing Policy, the Authority would have to take regard of the new guidance. The changes in the Policy would only have a minor impact on the taxi trade but would then align it with the national guidance and help promote the licensing objectives.

In reply to the Committee's queries, Members were informed that there was no timeframe stipulated for licence holders to comply with retrospective aspects of the guidance but depending on the nature of the change Members were free to choose the time periods to comply. The members of the taxi trade who did not heed the warning given in 2018 would incur additional costs for DBS checks. A DBS check cost £49 and last three years but those already signed on to the update service, around 80% to 85% of drivers, paid £13 per year and their certificates did not expire and could be renewed every six months without additional charge. Those not on the update service were breaching their licence and would have to apply for a new DBS check every six months at £49 each time.

Member safeguarding training for Licensing Committee could be available remotely and the Senior Licensing Officer could run a two hour session, as done for the taxi drivers. The Environmental Services Manager thought for the wider audience of other members and Council officers a different type of training would be needed.

A number of other local authorities had been caught out over issues of sexual exploitation, so CCTV was being considered as a solution. This would be meant to safeguard passengers and drivers but would have a cost implication for the taxi trade. The system would include separate 'panic' buttons for the passengers and driver. Some vehicles already used dash cams but these only had a couple of conditions attached, whereas using CCTV could be better controlled. The new guidance suggested that the local area should be canvassed to garner positive or negative responses to the compulsory installation of CCTV in vehicles. Realistically, the consultation would take place early in 2021.

It was resolved:

- (i) That the existence of the new Statutory Guidance for Taxis published 21 July 2020, and the procedural changes mentioned in the report, be noted;
- (ii) That the minor amendments to the Private hire and hackney Carriage Licensing Policy shown in table1 and as tracked changes in Appendix 1 to this report be approved to come into effect immediately;
- (iii) That officers be instructed to consult to identify if there were any local circumstances which indicated whether introducing CCTV in vehicles would have a positive or negative impact.

24. **LICENSING OFFICER UPDATE**

The Committee considered a verbal report that updated Members on the work of officers within the Licensing Department.

The Senior Licensing Officer advised the Committee that since the last update the Department had just be concentrating on implementing the Government's requirements, such as the imposition of the 10pm venue closing times and noise caps, plus the day-to-day situations. It continued to offer support to the trades but there were warning signs that some businesses, particularly from animal welfare, that they could close. The department continued to offer help, including spreading payments.

The Environmental Services Manager revealed that the Government had provided some more funding to ensure compliance and enforcement relating to COVID guidance. Thought needed to be given on how this money could be used, whether to fund a new post to check businesses or help people understand the new requirements, as people were getting confused on what they needed to do. Generally, compliance was good with very few complaints being received. The main issues revolved around the quick legislation changes and ensuring communications were good to get the messages out.

25. **FORWARD AGENDA PLAN**

The Committee considered its Forward Agenda Plan.

The Senior Licensing Officer advised the Committee that two reports would be brought to the Committee: Licensing Fees to the November meeting and CCTV in Taxis Consultation to the December meeting.

The meeting concluded at 10:19am.