

## LICENSING COMMITTEE

Tuesday, 10 March 2020

**Present: Councillor Bob Backhouse (Chairman)**  
**Councillors Woodward (Vice-Chairman), Atkins, Atwood, Mrs Cobbold, Ellis,**  
**Fairweather, Hill, Lidstone, Noakes, Podbury and Williams**

**Officers in Attendance:** Gary Stevenson (Head of Housing, Health and Environment), Sharon Degiorgio (Senior Licensing Officer), Robin Harris (Senior Lawyer (Contentious)) and Emer Moran (Democratic Services Officer)

**Other Members in Attendance:** None

### CHAIRMAN'S INTRODUCTION

LC31/19 The Chairman opened the meeting, introduced Committee Members and Officers in attendance, and outlined procedural matters of the meeting.

### APOLOGIES FOR ABSENCE

LC32/19 Apologies were received from Cllrs Funnell, Pope and Thomson.

### DECLARATIONS OF INTEREST:

LC33/19 There were no declarations of interest made.

### NOTIFICATION OF VISITING MEMBERS WISHING TO SPEAK (IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 18):

LC34/19 There were no visiting Members who had registered to speak.

### MINUTES OF THE PREVIOUS MEETING

#### LC35/19 **RESOLVED**

1. That minute LC24/19 be amended to show the action of contacting the Business Improvement District (BID) in order to confirm what consultation the BID may have conducted with local shops in the Calverley Road area of Tunbridge Wells.
2. That subject to the above amendment that the minutes of the previous meeting dated 3 December 2019 be approved as a correct record.

### HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY - REVIEW 2020

LC36/19 Ms Sharon Degiorgio, Senior Licensing Officer presented her report outlining the review of the Hackney Carriage and Private Hire Licensing Policy.

Ms Toni Conlon and Mr Clayton Berry members of the Hackney Carriage Community registered to speak and made the following comments:

- The National Register of Taxi Licence Refusals and Revocations (NR3) and Equality online system were welcomed.
- Acknowledging that despite it being outside Tunbridge Wells Borough Council's remit, it was put forward that it would be wonderful if there was co-operation and disclosure between the Licensing department, Benefit Office and HMRC with regard to reducing organised crime and money laundering.
- Confirmation was sought on why the taxi phone operator in an office would need a DBS check.
- That there were significant differences in the charges for driver medical's which must be carried out at the time of application or renewal, with some Doctor's charging £40 and others £150.

In response to questions raised by speakers and Members of the Committee Officers advised:

- That Sevenoaks would be contacted to find out more in relation to the medical charges.
- In order for new drivers and ALL existing drivers at the time of renewal to take the EQUO online training system, they would need to be able to read English and potential help would be available to those struggling with more technical terms if English wasn't their first language.
- That taxi telephone operators must adhere to DBS checks due to them having access to sensitive information about customers whereabouts and vulnerability.

#### **RESOLVED:**

1. That the draft revised Hackney Carriage and Private Hire Licensing Policy 2020, be noted; and
2. That the Hackney Carriage and Private Hire Licensing Policy 2020 be subject to public consultation, prior to the final report being returned to the Committee.

#### **OBJECTION TO PROPOSED LICENSING FEES AND CHARGES**

LC37/19 Ms Sharon Degiorgio, Senior Licensing Officer presented her report.

Mr Clayton Berry members of the Hackney Carriage Community registered to speak and made the following comments:

- That it would appear that payments made by drivers to take their second test had not been refunded to them despite not having had the test.
- It was noted that the wait time for responses regarding FOI requests and Complaints made was too great and unacceptable.
- The figures provided on the FOI received appeared to be incorrect and clarification on this was requested.
- A number of vehicles which have failed their MOT have not been reported to Tunbridge Wells Council by the Sevenoaks Hub and therefore not removed from operation which it was felt has put residents in the Borough in danger.

In response to questions raised by speakers and Members of the Committee, Officers advised:

- That the issue regarding the historic second tests was acknowledged and this matter was being investigated and dealt with by the Licensing Partnership as it related to historical matters and may or may not result in some refunds.
- The Head of the Licensing Partnership had confirmed that measures have been put in place to prevent this from re-occurring.
- That the representation made did not relate to the proposed fee structure for 2020/21.
- The Partnership was managed by a Partnership Board of senior managers at each authority and the Partnership Head of Service and were due to meet on the Monday following this Committee and feedback would be given to Committee Members regarding this.

RESOLVED:

1. That with effect from 1 April 2020, the proposed fees and charges and associated costs for licences in respect of hackney carriage drivers and vehicles and private hire drivers, vehicles and operators as set out in Appendix A, be adopted.

#### **URGENT BUSINESS**

LC38/19 There were no matters of urgent business to discuss.

#### **DATE OF NEXT MEETING**

LC39/19 The next meeting takes place on Tuesday 16 June 2020 at 6pm.

NOTE: The meeting concluded at 6.32 pm.