

LICENSING COMMITTEE

Tuesday, 1 December 2020

Present: Councillor Bob Backhouse (Chairman)
Councillors Atkins, Atwood, Mrs Cobbold, Ellis, Fairweather, Funnell, Hill, Lidstone, Noakes, Podbury, Pope, Thomson and Williams

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

Other Members in Attendance: None

CHAIRMAN'S INTRODUCTION

LC1/20 The Chairman opened the meeting, introduced Committee Members and Officers in attendance, and outlined procedural matters of the meeting.

APOLOGIES FOR ABSENCE

LC2/20 Apologies were received from Vice Chairman Councillor Woodward. Councillor Eilis was not present.

DECLARATIONS OF INTEREST

LC3/20 There were no declarations of interest made.

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

LC4/20 There were no visiting Members registered to speak.

Mr Clayton Berry registered to speak on agenda item LC6/20.

MINUTES OF THE PREVIOUS MEETING DATED 8 SEPTEMBER 2020

LC5/20 **RESOLVED** – That that the minutes of the previous meeting dated 8 September 2020 be approved as a correct record.

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING: LICENCE FEES AND CHARGES 2021/2022

LC6/20 Sharon Degiorgio, Senior Licensing Officer presented her report which outlined the Hackney Carriage and Private Hire Licensing: Licence Fees and Charges 2021/2022.

- Members noted at Appendix A page 21 of the report there was a fee for the new (EQUO) online test (£66) which Members had previously agreed to implement. The authority had to introduce this test to comply with the new national standards to evaluate drivers understanding of Child Sexual Exploitation/Safeguarding, Disability Awareness and County Lines.
- This was a one off fee – once an applicant or driver renewal had passed the test there would be no requirement to re-take this at

their next renewal date.

- This fee would come into effect when this scheme was introduced in January 2021.
- All other fees would be effective from April 1st 2021 subject to consideration of any unresolved written objections at Licensing Committee on 9 March 2021.

Mr Clayton Berry registered to speak, points raised included:

- Mr Berry was in agreement with Gary Stevenson, Head of Housing, Health and Environment with regard to revised account figures.
- Mr Berry advised that he spoke on behalf of himself and all drivers to voice their disgust at the decision by Tunbridge Wells Borough Council (TWBC) to increase the Licensing Fees at an extremely difficult time for the trade due to the pandemic.
- The little work available meant that drivers had put themselves at risk to ensure that key workers got to work, residents got to Covid-19 test centres amount other routes.
- The only assistance drivers had been offered was a deferment of fees.
- At the request of the other drivers, Toni Conlon had written to RH Greg Clark MP, for his support.
- Serious concerns were raised about the mental health of drivers.

Gary Stevenson gave a verbal update to Members related to the supplementary document published which superseded appendix B in the report.

Members took account of the report and raised a number of questions and issues within their discussion. These included:

- Separate to the consideration of the fees, it was advised that the discretionary grant was something the Council could consider and once the guidance on the new local based restriction grants were published the Council could review the key sector consideration.
- It was noted that there did not seem to be any consistency to additional support across other authorities.
- The deferral of the increase in licensing fees was suggested, this was addressed and it was advised that it may be possible to consider this at the next Licensing Committee in March 2021 after consultation took place with the trade and members of the public.
- It was advised as the Council was in a deficit situation, the fee increase included part recovery of deficit in addition to an uplift of costs.
- The Committee supported the Chairman in the task to lobby Central Government via RH Greg Clarke MP and David Candlin, Head of Economic Development & Property.

RESOLVED:

That the proposed fees set out in Appendix A for publication, consultation and implementation with effect from 1 April 2021, subject to consideration of any unresolved written objections at Licensing Committee on 09 March 2021, be approved.

LC7/20 Sharon Degiorgio, Senior Licensing Officer presented her report which outlined the Licensing Fees and Charges 2021/2022.

Members took account of the report and raised a number of questions and issues within their discussion. These included:

- It was advised that enforcement measures were in place to stop illegal scrap metal dealers.

RESOLVED:

1. That the fee levels as set out in Appendices A, B, and C of the report for implementation on 1 April 2021, be approved.
2. That the nationally set fees for 2021/22 as set out in Appendix D, be noted.

DRAFT STATEMENT OF LICENSING POLICY 2021-2026

LC8/20 Sharon Degiorgio, Senior Licensing Officer presented her report which outlined the Draft Statement of Licensing Policy 2021-2026.

Members took account of the report and raised a number of questions and issues within their discussion. These included:

- It was explained that the Council did not issue a license in respect of a temporary event; the organiser would serve a notice on the council that a temporary event would take place and the only parties that could respond to that are the Police and/or Environmental Health, therefore without representation from either party against the notice the Council had no ability to serve a counter notice to prevent the event.

RESOLVED:

That the revised draft statement of licensing policy following public consultation for ratification at Full Council, be approved.

The policy would be adopted from 7 January 2021 to remain in force for a period of five years, if approved by Full Council.

URGENT BUSINESS

LC9/20 There was no urgent business for consideration.

DATE OF NEXT MEETING

LC10/20 The next Licensing Committee meeting was scheduled for Tuesday 9 March 2021.

NOTE: The meeting concluded at 7.01 pm.