
GENERAL LICENSING COMMITTEE

MINUTES of the Virtual Meeting held via Skype on Thursday, 21 January 2021 from 7.00 pm - 7.49 pm.

PRESENT: Councillors Cameron Beart, Monique Bonney (Substitute for Councillor Lee McCall), Derek Carnell (Chairman), Roger Clark, Richard Darby, Paul Stephen, Eddie Thomas and Tony Winckless (Vice-Chairman).

OFFICERS PRESENT: Billy Attaway, Sarah Beasley, Philippa Davies, Della Fackrell, Robin Harris, Chris Hills, Julie May, Paul Stephens and Jo Thomas.

ALSO IN ATTENDANCE: Councillors Steve Davey, Tim Gibson, Carole Jackson, Elliott Jayes, Peter MacDonald, Hannah Perkin, Richard Palmer and Ken Rowles.

APOLOGIES: Councillors Simon Fowle and Lee McCall.

415 INTRODUCTION

The Chairman explained that the meeting would be conducted in accordance with the Local Authorities and Police and Crime Panel (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No. 392.

In welcoming all Members and members of the public, the Chairman explained which Swale Borough Council officers were in attendance.

416 MINUTES

The Minutes of the Meeting held on 20 February 2020 (Minute Nos. 536 – 542) and the Extraordinary Meeting held on 3 August 2020 (Minute Nos. 32 – 35) were taken as read, approved and signed by the Chairman as a correct record.

The Minutes of the following Sub-Committees were accepted by the Chairman:

18 February 2020 – 10am (Minute Nos. 526 – 530)

18 February 2020 – 11.30am (Minute Nos. 531 – 535)

24 August 2020 (Minute Nos. 47 – 50) subject to the deletion of the word 'Cabinet' in Minute No. 47.

417 DECLARATIONS OF INTEREST

No interests were declared.

418 PUBLIC SESSION

Mr Mark Richards, a taxi operator, spoke on item 5, Restricted Private Hire Drivers Badge.

Mr Richards spoke about there being no need for certain sections of the knowledge test relating to routes, landmarks and locations being unnecessary for a new category of restricted Private Hire Badge for school runs only.

Part B Minutes for information

419 RESTRICTED PRIVATE HIRE DRIVERS' LICENCE

The Licensing Officer introduced the report which requested Members to consider whether they wished to instruct officers to introduce a new category of Private Hire Drivers' licence, being a restricted licence for school run contracts only. She said that applicants for this licence would not need to undertake the part of the current Street Knowledge Test (SKT) relating to questions on routes and locations in the Borough. The Licensing Officer referred to the comments made by the Taxi Operator which were also noted in the report. She referred to the position with other local authorities regarding SKTs, set out at Appendix III in the report.

Members made comments which included:

- With regard to recommendation (1), had some sympathy with the operators' provision of sufficient drivers, due to the view that the SKT was too stringent;
- this needed further consideration or we should stay with the current arrangements;
- with regard to recommendation (2), did not support this as there could be issues with SatNav, and passengers needed the confidence that the driver knew where they were going;
- it was not right to restrict any operator to solely doing school runs as this limited the potential for income;
- all drivers should have knowledge of all routes and locations;
- reluctant to no longer have the requirement for route knowledge;
- this could impact on visitors' views of the area/Council if this was implemented; and
- in terms of recommendation (1), this gave the operators an opportunity to solely have drivers for school runs, and was giving drivers a choice.

The officer was thanked for her report.

Resolved:

(1) That after consideration, introducing a new category of Private Hire Drivers' licence, being a restricted licence for school run contracts only, without the need to undertake the elements of the current Street Knowledge Test relating to routes and locations is not agreed.

(2) That after consideration, removing the requirement of testing knowledge of routes and locations for all applicants sitting the current Street Knowledge Test to obtain a Private Hire Drivers' licence be not agreed.

420 TAXI TARIFF

The Licensing Officer introduced the report which requested Members to consider whether they wished to instruct officers to proceed with the process of proposing amendments to the taxi tariff after taking into account responses received from an initial consultation with the taxi trade, to gauge whether there was any support for a change to taxi fees. Members had agreed at their meeting on 12 July 2018 to review future taxi tariffs every two years. The Licensing Officer explained that a consultation had been carried out with taxi operators and drivers to see if there was an 'appetite' for an increase in charges. A total of 350 drivers and operators were notified of the consultation, and 33 responses were received, with 22 in favour of no change, and 11 in favour of the taxi tariff being increased.

Members made comments which included:

- We should not recommend a change in tariff based on such a small response to the consultation;
- it made sense to leave it as it was;
- suggested raising it by 20 pence;
- there was no justification to increase the tariff;
- the tariff should have been reviewed in 2020, and suggested it be reviewed in 2022 instead of now;
- seemed more reasonable to review post-pandemic;
- Swale's rate was mid-position within Kent, suggested we kept that position; and
- leave as it was and review in 2022.

In response to a question, the Licensing Officer explained that the 33 responses came from individual drivers, not operators.

Councillor Cameron Beart moved the following motion: That the process of amending the current maximum scale of fees for licensed hackney carriages operating within the Borough not be proceeded, but looked at again in 2022. This was seconded by Councillor Roger Clark. On being put to the vote the motion was agreed.

Resolved:

(1) That the process of amending the current maximum scale of fees for licensed hackney carriages operating within the Borough not be proceeded, but looked at again in 2022.

421 NATIONAL TAXI STANDARDS

The Licensing Officer introduced the report which informed Members of the new Department for Transport (DfT) Statutory Taxi and Private Hire Vehicle Standards, ahead of full implementation within current Swale Hackney Carriage and Private Hire Licensing Policy 2018-2021. She drew Members' attention to Appendix II in the report which set-out the Statutory Taxi and Private Hire Vehicle Standards, and Appendix III which set-out the proposed amendments to the Policy which would be

consulted upon for four weeks. An update, with any amendments, was required by the DfT by 31 January 2021.

In response to a question from a Member, the Licensing Officer and Resilience and Licensing Manager explained that in the scenario of having to do 6-monthly DBS checks, it was an unknown at the moment as to whether more staff would be required, and they would keep a watching brief on the situation. The same Member welcomed the safeguarding awareness measures as set-out on Page 79 of the report, and considered that if points 12, 13 and 14 were in place that potential costly, and prohibitive, CCTV measures would not be required.

Resolved:

(1) That the new statutory guidance which the Licensing Authority would have regard to until it was fully incorporated into the Council's Hackney Carriage and Private Hire Licensing Policy be noted.

(2) That the draft revisions to the Hackney Carriage and Private Hire Licensing Policy to be implemented before a more extensive revision to the policy later in 2021 be noted.

(3) That the policy consultation process be noted.

Part A Minute for recommendation to Council

422 STREET TRADING POLICY

The Licensing Officer introduced the report which sought Members' approval to endorse the draft Street Trading Policy following a 14-week consultation so that it could be presented to Full Council for formal adoption. Members were also asked to determine the level of fees that should be set for Street Trading Consents. The Licensing Officer referred Members to Appendix II in the report which set-out the amended Policy. A 12-week consultation, extended to 14-week, had been carried out and five responses had been received. The comments were noted in Appendix V of the report, alongside comments from the Licensing Team. The Licensing Officer also drew Members' attention to Page 133 of the report which set-out street trading fees, benchmarked throughout Kent Local Authorities.

A Member congratulated the Licensing Officer and Licensing Team for the report. He particularly welcomed the wording in paragraph 3.5.2 on page 116 of the report and supported the initiative that charter markets were still exempt from the requirement of having a Street Trading Consent. Another Member said that anything that could be done to support small businesses was welcome.

Recommended:

(1) That the draft Street Trading Policy be approved.

(2) That the level of fees to be set for Street Trading Consents be Option B in the report.

(3) That the Policy be approved and published.

Chairman

Copies of this document are available on the Council website <http://www.swale.gov.uk/dso/>. If you would like hard copies or alternative versions (i.e. large print, audio, different language) we will do our best to accommodate your request please contact Swale Borough Council at Swale House, East Street, Sittingbourne, Kent, ME10 3HT or telephone the Customer Service Centre 01795 417850.

All Minutes are draft until agreed at the next meeting of the Committee/Panel