

## **LICENSING COMMITTEE**

25<sup>th</sup> January 2022

**Present** – Councillors Myers (Chairman), Heseltine, Ireton, Jaquin, Madeley, Moorby, Ogden, Solloway and Whitaker.

**Officers** – Solicitor to the Council, Licensing Manager, Assistant Licensing Officer, Senior Democratic Services Officer and Democratic Services and Scrutiny Officer.

An apology for absence was received from Councillor Mulligan.

Start: 6.35pm

Finish: 8.00pm

The minutes of the Committee's meeting held on 5<sup>th</sup> October 2021 were confirmed and signed by the Chairman.

**Declarations of Interests** – Councillor Moorby declared Paragraph 16 interests in items LIC.249, LIC.250, LIC.251, LIC.252 and LIC.254 left the room and took no part in the debate or voting thereon.

### **EXCLUSION OF THE PUBLIC**

That, in accordance with the Council's Access to Information Procedure Rules, the public is excluded from the meeting during consideration of Minute LIC.254 (marked\$) below on the grounds that it is not in the public interest to disclose the Category 1 exempt information (relates to an individual).

### **Minutes for Report**

LIC.248

### **Public Participation**

Mr Peter Hubbock, a taxi driver and speaking on behalf of other taxi drivers addressed the Committee. He explained that it was difficult to make a living due to the current economic climate and they were struggling to earn the minimum wage. The price of fuel, vehicle parts, tyres etc. had all increased not to mention the rise in household bills. He stated that many drivers had had to borrow money to install mandatory CCTV and that if fares didn't increase, there would not be many taxis left in Skipton. Mr Hubbock also mentioned the price increase of second hand cars and with most of them having tinted glass it was costing in the region of £1200 to replace with clear glass.

The Chairman acknowledged the concerns of the taxi trade and informed them that later on in the agenda the Committee would be discussing the Hackney Carriage Table of Fares.

LIC.249

### **Hackney Carriage Table of Fares**

The Solicitor to the Council submitted a report asking Members to consider a request to review the Hackney Carriage Table of Fares. The main reason for the review request was said to be increasing fuel costs.

The Local Government (Miscellaneous Provisions) Act 1976 allowed local authorities to set fares for licensed Hackney Carriages in the District. The tariff set the maximum fares that the travelling public could be charged and the last review of fares was in 2018. Section 65 set out the steps to be followed including a period of consultation.

In an effort to deal with the request as expeditiously as possible, the Chair agreed to a short consultation exercise with the 124 licensed Hackney Carriage drivers, primarily to acquire sufficient statistical information to enable officers to compile a draft revised Table of Fares. Unfortunately, the 10 responses provided insufficient data to calculate a reasonable evidence base. As this was to be the first review since 2010 the data held is outdated and insufficient to inform a draft revised Table of Fares.

Members acknowledged the urgency in reviewing the Table of Fares as it had been several years since the last review and fares had not kept pace with inflation and taxi drivers' expenses had risen considerably. Consequently, Members wanted to see a further consultation exercise with the taxi trade including asking about the addition of public holiday surcharges and, in order to ensure the review was concluded as soon as practicable, it was

**Resolved –** (1) That, the contents of the report now submitted are noted.

(2) That, the Licensing Manager is authorised to undertake a further consultation exercise with the trade on the Hackney Carriage Table of Fares; analyse the responses; and in consultation with the Chairman, Councillor Ireton and Councillor Madeley, consider any outstanding matters relating to Bank Holiday surcharges and prepare a draft Table of Fares to be submitted to a special meeting of the Licensing Committee seeking agreement on the draft for public consultation.

LIC.250

#### **Vehicle Testing and Tender Update**

The Licensing Manager submitted a report providing Members with an update on the recent garage tender process. Currently there was only one authorised testing station in the District having been appointed for one year in February 2020 with an option to extend for a further year on two occasions. This extension had already been activated in February 2021 expiring in February 2022 but with the option of another extension to 2023.

Members had requested that an invitation to tender process was undertaken to see if any more garages would be interested in becoming a taxi testing station for Craven's licenced taxis, thereby giving taxi vehicle owners more choice and potentially reduce appointment waiting times. The closing date for expressions of interest closed on the 31<sup>st</sup> January 2022 but at the time of this meeting, there had been no interest whatsoever.

**Resolved –** That, the report is noted.

LIC.251

#### **Window Tint**

The Licensing Manager submitted a report outlining a request received for the Licensing Authority to review the conditions attached to licensed Hackney Carriage and Private Hire vehicles which prohibited window tints. All vehicles, irrespective of their intended use, must have minimum level of light passing through the windscreen (75%) and front windows (70%) The Road Vehicles (Construction and Use) Regulations 1986 do not extend to the remaining windows. Craven's conditions require all windows to meet that national standard.

The report highlighted the reasons given for the request for a review and also included the safety aspects of having clear glass in the rear windows.

**Resolved –** (1) That, the contents of the report are noted.

(2) That, a review of licensed vehicle condition 3 of the Hackney Carriage Vehicle Conditions and 1b of the Private Hire Vehicle Conditions relating to window tints is undertaken and that the Licensing Manager is authorised to consult with the licensed

trade and all interested parties and report the responses received to the next meeting of this Committee.

LIC.252

**Changes for Hackney/Private Hire and Combined Driver Applications and Scrap Metal Licence Applications from April 2022**

The Assistant Licensing Officer presented a report updating the Committee on changes coming into force on 4<sup>th</sup> April 2022 in respect of renewal applications for Hackney Carriage and Private Hire drivers, private hire vehicle operators' licenses, scrap metal site licenses and scrap metal collectors' licenses.

Licensing Authorities would be required to carry out checks on applications from individuals, companies and any type of partnership to make sure they are aware of their tax responsibilities and/or have completed a tax check. These new regulations were an HMRC strategy to tackle tax avoidance in the hidden economy.

**Resolved** – That the report is noted.

LIC.253

**Licensing Act 2003 – Review of Statement of Licensing Policy**

The Chair agreed for the Solicitor to the Council to present an urgent report seeking approval for a review of the Council's Statement of Licensing Policy. It had come to light that there was an omission in the Policy adopted by the Council on 6<sup>th</sup> August 2021 and it was important that this was dealt with expeditiously. The omission related to the Equality Act 2010 as the Statement of Licensing Policy should refer to that legislation and explain how the Equality Duty had been complied with.

In determining the Policy, it was a legal requirement that the Authority conducted a statutory consultation. Due to the limitations of the proposed additions to the Policy, the Committee considered that the consultation period was proportionate and, it was

**Resolved** – (1) That, the contents of the report are noted.

(2) That, the draft revised Statement of Licensing Policy as now submitted in approved for consultation with the statutory consultees as stated in the report.

(3) That, the Solicitor to the Council is authorised, in consultation with the Chair and Vice-Chair to consider any consultation responses and present a revised Statement of Licensing Policy to Council.

\$LIC.254

**Request under the Hardship Scheme**

[A separate minute has been prepared for this item for those persons entitled to have the information]

Chairman.