



LICENSING COMMITTEE

Tuesday, 12th July 2022 at 6.30pm

Meeting to be held at Belle Vue Square Offices, Belle Vue Suite, Skipton

Committee Members: The Chairman (Councillor Moorby) and Councillors Harbron, Heseltine, Ireton, Jaquin, Madeley, Mulligan, Myers, Ogden, Solloway and Whitaker. (One vacancy - Independent).

Please note the following advice in advance of the meeting:

Whilst there is no longer a legal requirement to wear a face covering or continue to social distance, please be considerate towards the wellbeing of others.

Anyone showing Covid symptoms or feeling unwell, are asked not to attend and in-person meeting, this is in the interest of general infection control. Further guidance can be found at <https://www.gov.uk/coronavirus>

AGENDA

- 1. Apologies for Absence** – To receive any apologies for absence.
- 2. Minutes** – To approve the minutes of meeting held on 12th May 2022.
- 3. Public Participation** – In the event that any questions/statements are received or members of the public attend, the public participation session will proceed for a period of up to fifteen minutes.
- 4. Declarations of Interest** – All Members are invited to declare at this point any interests they have in items appearing on this agenda, including the nature of those interests.

(Note: Declarations should be in the form of:

a “**disclosable pecuniary interest**” under Appendix A to the Council’s Code of Conduct, or “**other interests**” under Appendix B or under Paragraph 15 where a matter arises at the meeting which relates to a financial interest of a friend, relative or close associate.

A Member of Council who has a disclosable pecuniary interest must leave the room and not take part in the discussion or vote. When declaring interests under Appendix B or Paragraph 15 of the Code, Members must move to the public seating area, not vote, and speak only if members of the public are also allowed to speak at the meeting.)

5. Work Programme 2022/23 – Report of the Licensing Manager.

Purpose of Report – To consider and set the work programme for the 2022/2023 municipal year. Attached.

6. Overview of Licensing Services – Report of the Licensing Manager. Attached.

Purpose of Report – To provide members with an overview of the work of the Licensing Service during 2021/22, including enforcement and compliance monitoring.

7. Any other items which the Chairman decides are urgent in accordance with Section 100B(4) of the Local Government Act, 1972.

8. Date and Time of Next Meeting – Tuesday, 4th October 2022 at 6.30pm.

Agenda Contact Officer:

Vicky Davies, Senior Democratic Services Officer

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4th July 2022

AGENDA ITEM 2

LICENSING COMMITTEE

12th May 2022

Present – Councillors Myers (Chairman), Heseltine, Ireton, Ogden and Whitaker.

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

Apologies for absence was received from Councillors Jaquin, Moorby, Mulligan and Solloway.

Start: 6.35pm

Finish: 7.05pm

The minutes of the Committee's meeting held on 8th March 2022 were confirmed and signed by the Chairman.

Declarations of Interests – None.

Minutes for Report

LIC.257

Public Participation

A member of the trade addressed the committee on behalf of other taxi drivers. He suggested that a 50% rise for Tariff 1 was too much, and that he would like to see a 33% rise across every cost.

LIC.258

Hackney Carriage Table of Fares

The Licensing Manager submitted a report asking Members to consider the public consultation responses and approve a new Hackney Carriage Table of Fares.

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 before the Licensing Committee meeting of 25th January 2022, 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. As at 25th January 2022, 10 responses were received but these provided insufficient data to calculate a reasonable evidence base. For this reason, the committee extended the trade consultation and as at 8th March 2022, 23 responses were received. A public consultation was run between 17th and 31st March 2022, and Members considered the responses as set out in the report.

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. The Licensing Manager reported that the Table of Fares put before Members saw Tariff 1 increase by 50%, all other Tariffs increase by 33% and the callout and soiling charges remain the same as before. The Licensing Manager clarified that if the Table of Fares put before Members is modified, it would only need to go back to public consultation if the committee decided something far outside the original consultation. Councillor Ireton proposed that there should be a 33% increase to all Tariffs, the call out charge and the soiling charge. This was seconded by Councillor Heseltine and approved by the committee. It was agreed that the new Table of Fares is

AGENDA ITEM 2

to be implemented from 25th May 2022. Members agreed that if a review is deemed necessary, then one will be carried out, and encouraged the Trade to contact the Licensing Manager if their business costs further increased.

Resolved – (1) That, all Tariffs charges are increased by 33%.

(2) That, the call out and soiling charges are also increased by 33%.

(3) That, the new Hackney Carriage Table of Fares is implemented from 25th May 2022.

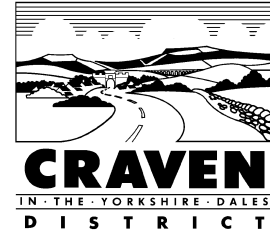
LIC.259

Any Other Business

The Licensing Manager reported that the Council had been successful with the Magistrates' Court appeal heard on 11th May 2022 against the revocation of a taxi licence and was awarded costs of £1,000.

Chairman.

**Licensing Committee –
12 July 2022
WORK PROGRAMME 2022/2023**



Report of the Licensing Manager

Ward(s) affected: ALL

Lead Member: Cllr Chris Moorby

1. **Purpose of Report** – To consider and set the work programme for the 2022/2023 municipal year.
2. **Recommendations** – Members are recommended to:
 - 2.1 Note the work of the Committee during 2021/22; and
 - 2.2 Agree the Committee’s work programme for 2022/2023.
3. **Report**
 - 3.1 At the first meeting of the municipal year, this Committee has routinely set its work programme for the coming year. This enables the Committee to take a structured approach but also to have the flexibility to deal with any issues which arise during the year.
 - 3.2 During 2021/22 the Licensing Committee has continued its work reviewing and implementing policies. The table below summarises the key work of the Committee during the year:

Statutory Taxi and Private Hire Vehicle Standards	Consulted on and agreed to implement the recommendations (LIC.241 & LIC245)
Agreed membership to the National Register of Taxi and Private Hire Licence Revocations and Refusals	13 July 2021 (LIC.241)
Reviewed the Licensing Act 2003 Policy	13 th July 2022 (LIC.241) & 25 th January 2022 (LIC.253)
Taxi Camera Policy	Determined the requirement for all Taxis to be Compliant by January 2022 (LIC.246)

Hackney Carriage Table of Fares	Consulted and implemented a new table of fares (LIC.249)
Garage Tender	Agreed to invite garages to submit responses to carry out taxi testing (LIC.250)
Window Tint Policy Review	It was agreed a public consultation and review of the policy would take place (LIC.251)

3.5 One item from the 2021/2022 work programme is incomplete and if Members agree, this will be carried forward to the 2022/2023 programme. This is:

Window Tint Policy Review	It was agreed a public consultation and review of the policy would take place (LIC.251). This was delayed following a request from the trade to review the Table of Fares
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3.6 If Members agree to this outstanding item being carried forward, the consultation will take place during the summer and a report presented to the next meeting of this Committee.

3.7 In addition to the work programme, the Committee may receive unscheduled items from time to time and sub-committees may be constituted on an ad-hoc basis to deal with hearings.

3.8 Due the reorganisation of Local Government, it is intended unless there is a statutory requirement, no further policy amendments will be brought forward. Instead, the focus will be on proactive enforcement of Licence Holders.

3.9 The Licensing Team will carry out more inspections of premises licensed under the Licensing Act 2003. In addition, there will be more Taxi rank inspections. The team will continue to work alongside North Yorkshire Police (road traffic).

4. **Implications**

4.1 **Financial and Value for Money Implications** – None arising directly from the report.

4.2 **Legal Implications** – these are set out in the body of the report.

4.3 **Contribution to Council Priorities** – Not applicable.

4.4 **Risk Management** – Not applicable.

- 4.5 **Equality Analysis** – Not applicable.
- 5. **Consultations with Others** – Not applicable.
- 6. **Access to Information: Background Documents** – Not applicable.
- 7. **Author of the Report** – Tim Chadwick, Licensing Manager; telephone 01756 706251; e-mail: tchadwick@cravenc.gov.uk.

Members are invited to contact the Licensing Manager in advance of the meeting with any detailed queries or questions.

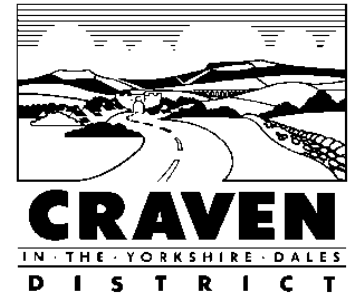
- 8. **Appendices** – None

Licensing Committee – 12 July 2022

Overview of Licensing Services

Report of the Licensing Manager

Lead Member – Cllr Chris Moorby



Ward(s) affected: All

1. Purpose of Report

To provide members with an overview of the work of the Licensing Service during 2021/2022, including enforcement and compliance monitoring.

2. Recommendations – Members are recommended to:

2.1 Note the report

2.2 Approve the draft licensing compliance monitoring and enforcement plan for 2022/2023 and authorise the Licensing Manger, in consultation with the Chair and Vice Chair, to make minor amendments to the plan.

3. Report

3.1 The Licensing Service is responsible for dealing with a variety of licensing regimes including taxis, premise licensing under the Licensing Act 2003, gambling, pavement licensing and charitable collections.

3.2 This report sets out a summary of the demand on the Licensing Service during the year and details the enforcement and compliance monitoring that has taken place.

3.3 The Service engages with customers in a variety of ways: by email, telephone, and face to face. There is no reporting mechanism for calls and emails made directly to Licensing Officers. Customer Services do keep a manual log of service requests that are dealt with by that team. This is a useful tool but as the service can have very busy periods – both on the telephone and in reception – the true number of service requests is greater than what is recorded. See Figure 1.0 for Call to Customer Services and Figure 1.1 for calls made to or Via Customer Services (01756) 700600.

Figure 1.0

Telephone calls to Customer Services	Alcohol	Other	Taxi	Total
2018	55	20	1059	1134
2019	305	286	613	1204
2020	251	145	719	1115
2021	399	214	538	1151
2022 (Jan-May)	103	79	194	376
			Total	4980

Figure 1.1

Visits to Customer Services	Alcohol	Other	Taxi	Total
2018	17	10	1447	1474
2019	121	149	1474	1744
2020	34	28	500	562
2021	28	22	472	522
2022 (Jan-May)	17	10	373	400
			Total	4702

- 3.4 As Members will be aware, the Licensing Act 2003 has several different licences which the Service advise on and process. A summary of these can be found at Appendix A.
- 3.5 In respect of taxi licensing, a breakdown of the number of drivers, vehicle and operator licences processed can be found at Appendix B. This also includes the number of complaints received and matters referred to a Licensing Appeals Sub-Committees.
- 3.6 The Service has not received any new applications for Gambling Premises under the Gambling Act 2005.
- 3.7 Finally, a summary of the number of applications received for other licensing regimes can be found at Appendix C.

Proposed enforcement and compliance monitoring

- 3.8 With local government reorganisation imminent, it is proposed that the focus of the Licensing Service for the remainder of this municipal year is pro-active enforcement, compliance monitoring and engagement with Licence Holders.

This will include:

- 4 joint operations with North Yorkshire Police (road traffic). (Subject to availability)
- Maintain and build upon partnership working to monitor out of District Taxis
- Carry out an inspection of all premises with a premise license for gambling
- Carry out 50 licensed premise inspections
- Provide a review to this Committee of the compliance and enforcement undertaken

4. Financial and Value for Money Implications

The enforcement and compliance monitoring proposed will be carried out within existing budgets.

5. Legal Implications

There are no legal implications arising directly from this report.

6. Contribution to Council Priorities

Promoting the wellbeing of Craven's communities

7. Impact on the declared Climate Emergency

None

8. Risk Management

Carrying out routine enforcement and compliance monitoring is important to ensure that the Council's Licensing Policies are being adhered to.

9. Chief Finance Officer (s151 Officer) Statement

A Chief Finance Officer statement is not required for this report.

10. Monitoring Officer Statement

A Monitoring Officer statement is not required for this report.

11. Equality Impact Analysis

An Equality Impact Analysis has not been completed for this report as no new policies are proposed.

12. Consultations with Others

None

13. Background Documents

None

14. Appendices

- **Appendix A – Licensing Act 2003 Information**
- **Appendix B – Taxi Licensing Information**
- **Appendix C – Miscellaneous Licensing Information**

15. Author of the Report

Name Tim Chadwick

Telephone: 01756 706251

E-mail: tchadwick@cravendc.gov.uk

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

Licensing Act 2003**Applications**

Licence Applications Licensing Act 2003	2017	2018	2019	2020*	2021	2022 (Jan-May)
Grant	14	12	13	14	17	9
Minor Variation				5	6	2
Full Variation				3	7	2
Change of DPS				19	55	21
Licence Transfer				11	24	10
Review of Licence				1	2	0
Other				2	16	12
Total				55	127	56

Data for 2017-2019 only available for number of premise licence GRANTS

Total Premise Licences in Force as of June 2022: 338

Temporary Event Notices:

Temporary Event Notice 'Applications' by year	
2018	378
2019	392
2020*	99
2021	170
2022 (Jan-May)	106
Total	1145

Complaints

2019	6	
2020	15	
2021	24	Resulting in one s19 notice been issued
2022	2	

*COVID Pandemic

Licensing Appeals Sub-Committee

2019	1
2020	1
2021	7
2022 (January – May)	1

2021

1 Grant of a Licence Application

2020

Requirement for Sub-committee ceased. This was following successful mediation from licensing. In which the applicant agreed additional conditions for neighbours, satisfying concerns.

2021

3 Premise Licence Reviews

2 Applications withdrawn just a couple of days before committee

2 Grant of a Licence Application

2022

1 Grant Application

Magistrates

In 2021 there were two appeals lodged by Applicants/Licence Holders to the Magistrates Court. One was determined in 2022, the appeal was awarded to the applicant.

One appeal remains ongoing, due to matters outside Licensing's control this has been deferred 3 times by the Magistrates Court. The deferrals have been due to the insufficient listing time provided by the Court and on two occasions due to unforeseen circumstances, which led to a key witness being unable to attend.

The Council is currently awaiting on a determination for a s19 Closure which it has applied for to the Courts. Due to be determined in July 2022.

Taxi Licensing

Vehicle Licensing applications received

	Hackney Carriage	Private Hire	Total
2019	252	28	280
2020	243	31	274
2021	214	8	222
2022 (Jan-May)	97	9	106
		Total	882

Total Licences in Force as of June 2022

- 10 Private Hire Vehicles
- 105 Hackney Carriages

Driver Licensing

Applications received.

	Hackney Carriage	Private Hire	Combined	New Driver Grant App	Total
2019	100	7	6	10	
2020	24	7	3	8	
2021	31	9	4	3	
2022 (Jan-May)	36	4	3	1	
Total	191	27	19	22	259

Most the licences are issued on a three year cycle. Drivers aged 65+ renew three yearly

Total Licences in force as of June 2022

- 126 Hackney Carriage Drivers
- 14 Private Hire Drivers
- 14 Combined Driver Licence

Private Hire Operator

Applications received. Licences are issued for one or five years. All licences in force have been issued for 5 years.

2017	2
2018	3
2019	2
2020	2
2021	6
2022	2

Total Licences in Force as of June 2022 - 15

Penalty Points Issued

The scheme is used as a formalised method of issuing warnings. Points are issued for non-compliance, when a licence holder reaches a totting up of 12 points they are referred to a Licensing Appeals Sub-committee

Year	Number of Points issues
2019	153
2020	192
2021	70
2022	40
Total	455

Complaints

Year	Number of Complaints
Historic (pre 2017)	20
2017	17
2018	36
2019	23
2020	19
2021	23
2022	8
Total	134

Complaint Category

Complaints are categorised. It should be noted most complaints will fit in to multiple categories. The table below includes the addition of where a driver has reported assaults to the Licensing Team.

Conduct of driver	86
Refusal To Hire	2
Using a Mobile Phone	8
Not using a meter	11
Fare Query	1
CSE / Safeguarding	6
Conduct of Firm	1
Driver Assaulted (physical)	6
Driver Assaulted (Racially motivated)	2
Standard of Driving	19

Licensing Appeals Sub-Committee

2019	6
2020	10
2021	5
2022	5

2019

3 x Requests to disapply conditions – all granted

3 x Review of Licence Holder

- 1 x 14 day suspension
- 1 x 28 day suspension
- 1 x no further action taken

2020

3 x Request to disapply conditions – all granted

1 x Application for a Grant – Refused

6 x Review of Licence Holder

- 1 x Revoked with immediate effect
- 1 x 28 day suspension
- 1 x written warning
- 1 x no further action
- 2 x Surrendered licence just prior to committee

2021

3 x Request to disapply conditions – all granted

2 x Review of Licence Holder

- 1 x Revoked with immediate effect
- 1 x No further action taken while Police investigation is ongoing

Magistrates

One appeal lodged in 2021 heard in 2022. Appeal dismissed in the Councils favour.

Vehicle Checks & Enforcement

Joint operations with North Yorkshire Police Road Traffic

Year	Number Completed
2019	4
2020	4
2021	3
2022 (January – July)	1*

*further dates are arranged for 2022

Inspections of vehicles by officers

Year	Number Completed
2019	79
2020	48
2021	34
2022 (January – June)	16

Vehicle inspection by approved testing station

Year	Number Completed
2020	133
2021	225
2022 (Jan-June)	102

Small Lotteries

Year	New Applications
2019	10
2020	4
2021	8
2022 Jan-May)	1

House to House Collections

Year	New Applications
2019	18
2020	7
2021	20
2022 Jan-May)	7

Street Collections

Year	New Applications
2019	53
2020	18
2021	5
2022 (Jan-May)	8

Pavement Licence

Introduced in 2020 as part of the Business and Planning Act 2020 as an emergency response to COVID19 to help business reopen and utilise outside spaces.

Year	New Applications
2020	1
2021	6