

## LICENSING COMMITTEE

- \* Councillor David Elms (Chairman)
- \* Councillor Mike Parsons (Vice-Chairman)

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|---------------------------------|-----------------------------|
| * Councillor Graham Ellwood     | * Councillor Marsha Moseley |
| * Councillor David Goodwin      | * Councillor Dennis Paul    |
| * Councillor Christian Holliday | * Councillor Tony Phillips  |
| * Councillor Mike Hurdle        | * Councillor David Quelch   |
| * Councillor Jennifer Jordan    | * Councillor James Walsh    |
| Councillor Nigel Kearse         | * Councillor David Wright   |
| Councillor Nigel Manning        |                             |

\*Present

### **L18 APOLOGIES**

Apologies for absence were received from Councillors Nigel Kearse and Nigel Manning.

### **L19 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS**

There were no declarations of interest.

### **L20 MINUTES**

The minutes of the meeting held on 22 November 2017 were confirmed as a true record and were signed by the Chairman.

### **L21 APPROVAL OF TAXI AND PRIVATE HIRE FEES AND CHARGES 2018-19**

The Committee received a report on the proposed Taxi and Private Hire Fees and Charges for 2018-19 to be approved with effect from 1 April 2018.

The Licensing Authority set the fees and charges agreed annually so that costs of administration could be recovered and no profit made on the fee. The Licensing Committee adopted a methodology for calculating fees and charges at its September 2016 meeting. This methodology had been used in the calculation of the 2018-19 Taxi and Private Hire Fees. If the Committee were minded to approve the fees proposed, a statutory consultation would be undertaken. If any objections were received, these would be considered by the Committee at its meeting on 26 March 2018 where the fees would be adopted with or without variation subject to the consultation responses. If there were no objections, then the fees would take effect from the end of the consultation. The largest increase noted was in the Private Hire Operator's Application and Renewal charge of £548.54. This was in response to the fact that two years ago the Deregulation Act 2015 enabled such a licence to last 5 years instead of 1 year only. The reduction in income would therefore be recovered by the increase in the fee.

Having considered the Taxi and Private Hire Fees and Charges for 2018-19, the Committee

RESOLVED:

To approve the fees and charges for Taxi and Private Hire Fees and Charges for 2018-19.

## **L22 TAXI AND PRIVATE HIRE LICENSING POLICY - CARD PAYMENTS IN TAXIS**

The Committee considered the consultation responses received to the proposed changes to the Taxi and Private Hire Licensing Policy to help customers access taxi services and prevent crime through the introduction of a requirement that all hackney carriages have the facility to accept payments by credit/debit card from 1 April 2019.

On 27 September 2017, the Licensing Committee considered the proposal to introduce an amendment to the hackney carriage vehicle licence requirements and conditions to require that all taxis have the facility to accept payments by credit and debit card by 1 April 2019. The Lead Councillor for Licensing and Community Safety approved as part of his delegated authority that a consultation was undertaken on the above for a period of 6 weeks starting 17 October 2017. All interested parties were consulted with; hackney carriage licence holders, the wider taxi trade via the Council's taxi newsletter, publicising the Policy changes on the Council's website and using social media to inform the public. Twenty-six consultation responses were received. Twenty-five out of the twenty-six consultees agreed with the proposed changes. One consultee, disagreed. Overall, the response indicated strong support for the proposed changes as it meant that taxi drivers would no longer have to carry with them sizable sums of cash, which would therefore limit their chance of becoming a victim of crime.

The Committee supported the proposal but considered why the response to the consultation was seemingly low compared to the wider population of Guildford. The Licensing Team Leader confirmed that every effort had been made to ensure that all relevant parties were effectively consulted with, in a variety of forms. Ultimately, it was the responsibility of the consultee to decide to respond or not. It was also confirmed, that any running costs incurred by the taxi trade by the introduction of the card payment machine could be accounted for and included in the overall taxi fares set for 2018-19. Lastly, if a card was declined for any reason, reasonable arrangements could be made between the driver and passenger to make and receive the payment.

Having considered the consultation responses received to the proposed changes to the taxi and private hire licensing policy during public consultation, the Committee:

RESOLVED:

To recommend to Council at its meeting on 7 February 2018, the adoption of the changes to the Policy requiring taxis to accept credit/debit card payments, including the facility to accept contactless payments by 1 April 2019.

## **L23 TAXI AND PRIVATE HIRE POLICY - CHANGES TO CONVICTIONS POLICY FOR INFORMATION**

The Committee considered the consultation responses on the proposed changes to the Taxi and Private Hire Licensing Policy to help prevent the sexual exploitation of vulnerable children and adults by introducing consistent standards across Surrey. The Committee was informed that it was a Surrey wide project that covered the 11 districts and boroughs. Whilst each application for a taxi or private hire driver's licence would be considered according to its merits, the policy would introduce a standardised policy for all of Surrey's Local Authorities to follow when determining if a driver was 'fit and proper'.

Three hundred and ninety-six consultation responses across Surrey had been received, of which 73% were in favour of the changes proposed. The support from Guildford residents or those that worked in the borough was slightly higher at 78%. Good support was given for the training; however, less support was indicated from existing drivers to have to undergo this. The training would take approx. 30 minutes to an hour to complete and would be paid for by all of the Surrey Authorities in the first year. It was confirmed, that if a driver did not pass they would then have to undertake and pay for the test again at a cost of £15.00. The Committee agreed

that the adoption of a consistent policy combined with the mandatory CSE training for all taxi and private hire drivers in Surrey would raise the standards of public safety across Surrey and help to protect the most vulnerable in our communities.

Having considered the proposed changes to the Taxi and Private Hire Licensing Policy, the Committee

RESOLVED:

To recommend to Council at its meeting on 7 February 2018:

- 1) To adopt the revised Taxi and Private Hire Convictions Policy in Appendix 3 to replace the convictions policy (Appendix 2) of the Taxi and Private Hire Policy 2015-2020;
- 2) To approve the requirement for all existing taxi and private hire drivers to undertake mandatory Child Sexual Exploitation training by 1 May 2019; and
- 3) To approve the requirement for all new taxi and private hire drivers to undertake mandatory Child Sexual Exploitation training from 11 April 2018.

#### **L24 STREET TRADING RESOLUTION - CONSIDERATION OF OBJECTIONS**

The Committee noted that the Council was the Licensing Authority for Street Trading under the Local Government (Miscellaneous Provisions) Act 1982 ("the Act"). The Council last designated, on 29 July 1987, a list of streets in the Borough as "consent" or "prohibited" streets in order to control Street Trading. However, those consent or prohibited streets largely applied to the town centre only. Complaints had been received about street trading taking place near the University of Surrey and Royal Surrey Hospital, which were currently not designated and the Council therefore had no control over their operation. Similarly, rural villages were not protected and could be subjected to unwanted street trading that was currently uncontrolled.

On the 27 September 2017, the Committee approved a public consultation on a draft resolution to designate all streets in the Borough as "consent" streets in order to improve control of Street Trading and to rescind the existing resolution. A public consultation was undertaken for a period of 28 days with relevant authorities such as the Police and Highways Authority as well as the current street traders. Six responses were received, three of which agreed with the proposals and three disagreed. One of those that disagreed was concerned that by designating all streets as "consent streets" groups such as the Women's Institute would be unable to collect monies for charitable causes. The Committee noted that if monies were collected for charitable purposes, a street collection permit that was free could be applied for. The changes outlined would be incorporated into a new Draft Street Trading Policy that would be considered by the Committee for adoption at its meeting on 27 March 2018.

The Committee was supportive of the changes proposed to improve control of Street Trading by designating all streets in the Borough as consent streets. It was confirmed that all current street traders had a licence for 1 year. Where street traders currently operated in areas that were not designated but would be as part of these recommendations, those street traders would have to apply for a street trading licence and considered on its merits. The local councillor would be consulted about any new applications for street trading.

Having considered the consultation responses received in relation to Street Trading, the Committee

RESOLVED:

That from 1 April 2018, all streets within Guildford Borough shall be designated as Consent Streets.

This resolution will rescind and replace the existing resolution dated 29 July 1987, which currently designates a number of prohibited and consent streets in the Borough.

**L25 LICENSING COMMITTEE WORK PROGRAMME 2018-19**

The Committee noted the work programme and agreed that the meeting on 25 July 2018 currently scheduled would be cancelled if no items of business came forward.

The meeting finished at 7.39 pm

Signed .....

Date .....

Chairman