

LICENSING COMMITTEE

Councillor David Goodwin (Chairman)
* Councillor Catherine Young (Vice-Chair)

Councillor Tim Anderson	* The Deputy Mayor, Councillor Masuk
* The Mayor, Councillor Dennis Booth	Miah
* Councillor Gillian Harwood	Councillor Marsha Moseley
Councillor Jan Harwood	* Councillor Maddy Redpath
* Councillor Ted Mayne	Councillor James Steel
Councillor Ann McShee	Councillor Fiona White
Councillor Bob McShee	* Councillor Keith Witham

*Present

L1 APOLOGIES FOR ABSENCE

Apologies for absence were received from the following members; Councillors David Goodwin, Tim Anderson, Ann McShee, Bob McShee, Marsha Moseley and Fiona White. Councillors Jan Harwood and James Steel were absent.

L2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

There were no disclosures of interest.

L3 MINUTES

The minutes of the Licensing Committee held on 20 July 2022 were approved and signed by the Chairman.

L4 ANNOUNCEMENTS

The Chairman had no announcements.

L5 TAXI AND PRIVATE HIRE FEES AND CHARGES 2022-23

The Committee received a report from the Senior Specialist for Licensing and Community Safety, Mike Smith. On the 25 July 2022, the Committee approved the draft fees and charges for 2022-23 for public consultation. The consultation was carried out as per the statutory requirement that included placing a notice in the local newspaper and in the council offices. The taxi trade were also advised of the proposed fees and charges via the Council's newsletter. The fees and charges would come into effect as of 3 October 2022 unless any objections were received. An objection had been received, which was detailed on page 11 of the report. A number of questions had been raised by Mr Majid, a Private Hire Operator. Licensing officers engaged with Mr Majid regarding his concerns. It was confirmed that the Council had set its fees in order to recover costs and had an approved methodology of setting the fees which was robust and set in a transparent way. There were both increases and decreases proposed in the fees detailed on page 17.

The Committee noted that the objection submitted related to the operator's licence increasing in cost from £970 to £2200, which represented a 100% increase. Notwithstanding the fact that the Council is not permitted to make a profit it was therefore asked why the increase had been so significant.

The Senior Specialist for Licensing and Community Safety, Mike Smith confirmed that when the fees and charges were presented for the Committee's consideration at their meeting in July, it was explained that the setting of fees had three elements to it. These included, the officers time; officers had to maintain a comprehensive time recording system where all activity recorded and coded to the various licence types enabling the Council to set fees based upon cost recovery. The second cost was comprised of the recharges into the private hire operator and other cost centres. The third cost was carrying forward any surplus or deficit. These three cost elements were then divided over a number of applications, resulting in a cost per licence. The increase in costs was reflective of the fact that the Council has had a reduction in the number of operators which meant that less income was coming into the cost centre, but the Council was still being recharged into the cost centre for on-costs. Whilst this represented a need to increase the fee, it had been set according to an adopted methodology.

The Committee requested further clarification with regard to the setting of fees. It was understood by the Committee that because there were fewer applicants with this type of licence that the costs of the Council had to be divided by a smaller number of applicants and that this was the reason for the increase. Given it represented an increase of over 100% it was therefore very significant. If there were fewer applications to be considered why hadn't the officer time therefore reduced so that the increase could be reduced.

The Senior Specialist for Licensing and Community Safety, Mike Smith confirmed that there was not a huge amount of officer time spent on private hire operators, both in terms of processing applications or carrying out other work associated with the function. There had also been a reduction in officer time compared to previous years. The operator fee was broken down into three elements of which staff time accounted for £200 of the cost, with £637 of recharges and an adjustment of £1383 as per the deficit carry forward. The Senior Specialist for Licensing and Community Safety also confirmed that the duration of a licence of this type was 5 years, so this fee was for a 5 year licence.

The Committee requested clarification on the approximate number of applications received for this category type that it was reduced from so to get an idea of the number of operators involved.

The Senior Specialist for Licensing and Community Safety, Mike Smith confirmed that drivers had a 3-year licence and operators had a 5-year licence. The Council had 400 drivers over a 3-year period and had 40 operators over a 5-year period although this number had reduced from 60 operators. In 2016, it was found that the fee of approx. £200 was not covering the costs and therefore in 2018 the methodology was changed to profile the costs over 5 years. In addition, some operators had ceased trading due to Covid-19. The proposed fee of £2,223.10 was based upon the number of applications received the previous year which amounted to x10.

The Committee agreed that officers should write to the 40 operators to explain the history and provide transparency to all regarding the increase in costs. It was confirmed by Mike Smith that all trade members had notified of the consultation via the Trade Newsletter where details of the Committee reports and calculation has been signposted. The Senior Specialist for Licensing and Community Safety confirmed that all members of the trade would be notified of the updated fees in the same way again.

The Committee asked if the fee could be payable by instalments. The Senior Specialist confirmed that fees were payable upfront for the grant of the licence and payment in instalments was not available, as this had been done in the past although resulted in licence holders not honouring this arrangement which created significant work for officers chasing debts and a loss of income as the licence had already been granted.

The Committee having discussed the report;

RESOLVED to approve the Taxi and Private Hire Fees and Charges for 2022-23 to take effect as of 3 October 2022.

L6 LICENSING COMMITTEE WORK PROGRAMME

The Committee discussed its work programme and noted a request from Councillor Witham to add an item to the agenda for the next Licensing Committee meeting scheduled on 23 November 2022. This was specifically with regard to mobile home site rules and the fact that they could no longer be found on the Guildford Borough Council website which was contrary to the Mobile Homes Act.

The Senior Specialist for Licensing and Community Safety, Mike Smith confirmed that this area of work was looked after by Sean Grady, Private Sector Housing and Pollution Lead Officer. It was therefore difficult to comment and commit to a report being available for the next meeting as Sean was heavily involved in homes for Ukraine and pollution work. Mike Smith confirmed that he would nevertheless raise the issue with the Head of Service and confirmed that given there was a public register for other licence types if this was required he was sure that if the matter had been raised by the Councillor that staff would be investigating.

Councillor Catherine Young commented that she had attended the Climate Change Board meeting that day which included discussion regarding a detailed action plan and a DEFRA funded trial programme for Electric Vehicle Taxi's. The Guildford Borough Council's Air Quality Action Plan would include updated taxi licensing conditions with new emission standards which were approved at the last Policy Review. The Senior Specialist for Licensing and Community Safety, Mike Smith confirmed that a number of Surrey Councils had submitted an Air Quality Bid for funding from DEFRA, and details of this project were being communicated to the trade when known. The Department for Transport would be expected to publish its updated Best Practice Guidance later this year and the Council would in turn be required to update its Taxi Policy following this. The Senior Specialist advised that the current policy specified that all licence vehicles were Euro 6 compliant by 2025, and all vehicles would be required to be Ultra Low Emission Vehicles (ULEV) by 1 January 2030.

The meeting finished at 7.40 pm

Signed

Date

Chairman