

LICENSING COMMITTEE

- * Councillor Catherine Young (Chairperson)
- * Councillor Keith Witham (Vice-Chairperson)

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| * Councillor Bilal Akhtar | The Mayor, Councillor Masuk Miah |
| * Councillor Amanda Creese | * Councillor Patrick Oven |
| * Councillor Gillian Harwood | * Councillor David Shaw |
| * Councillor Catherine Houston | * Councillor Katie Steel |
| * Councillor Bob Hughes | * Councillor Jane Tyson |
| * Councillor Tom Hunt | * Councillor Dominique Williams |
| Councillor Sandy Lowry | |

*Present

L1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Sandy Lowry and Katie Steel.

L2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

There were no disclosures of interest.

L3 MINUTES

The minutes of the Licensing Committee held on 27 September 2023 were agreed by the Committee and signed by the Chairperson as an accurate record.

The Chairperson asked that in relation to paragraph L6 of the minutes regarding comments from Mr Soper about the online training, was there any update on considering bringing this in house?

The Senior Specialist for Licensing, Mike Smith confirmed that there was no update on the Council's position on continuing to run the online training for taxi drivers. The Taxi and Private Hire trade were regularly updated at their advisory meetings with Council officers as well as via the Trade newsletter.

Secondly, in relation to paragraph L8 of the minutes regarding Mobile Homes, the Chairperson requested an indication as to when this might be considered.

It was confirmed that the Private Sector Housing Manager would provide an update on the licensing of mobile homes at a forthcoming meeting of the Committee, either in May or July. In addition, this matter would be included in all future Annual Reports.

L4 CHAIRPERSONS ANNOUNCEMENTS

The Chairperson, Councillor Young congratulated Best Bar None on their fantastic award.

The Senior Specialist for Licensing, Mike Smith and Democratic Services Officer, Sophie Butcher were also thanked for the excellent training programme put in place for all members. Committee members were encouraged, if they had not attended the recent excellent training from James Button (which unfortunately was not permitted to be recorded), that they read through the slides sent out in preparation for future Licensing Committee meetings.

L5 TAXI AND PRIVATE HIRE FEES AND CHARGES 2024-25

The Committee received a report from the Senior Specialist, Licensing, Mike Smith. The Committee noted that the taxi and private hire fees and charges were last reviewed in October 2022 for 2022-23. Approval was now sought to uplift fees by 7% for 2024-25 prior to a full review of the methodology to enable the Council to recover its costs.

The public consultation included placing a notice in the local paper and notice in the Council offices as well as making the licensed trade aware of the changes. If no objections are received, the fees will take effect from the 3 June 2024. If objections were received, these would be considered by the Licensing Committee at their next meeting on 8 May 2024.

The Sub-Committee discussed the report and queried whether the cost of livery was listed in the fees. It was confirmed that the cost of livery was not a licensed cost and was a cost that the trade had to pay to have, bearing in mind it was one of the prerequisites to licensing a vehicle. The contractual relationship remained solely between the owners of the vehicles and livery providers who were responsible for setting their own prices for the service.

The Committee discussed the percentage of accessible taxi vehicles which to date was confirmed as not particularly high. Currently, the Council's policy incentivised the purchase of accessible vehicles via a reduced licence fee for Hackney Carriage Vehicles which had been in place since December 2015. However, owing to a lot of the vehicles being owned by private enterprise which

was dependent upon market forces, it was therefore difficult to enforce without mandating a policy for accessible vehicles. In the longer term, an inclusive service plan which would be developed later this year as part of a policy review to update the best practice guidance.

The Committee noted that there had been a surplus of monies for 2023-24 of approximately £33,000. How much more of a surplus was expected for 2024-25? It was confirmed that the Council could not make a profit on licence fees and that the budgeted figures were not yet confirmed owing to not being at the end of the financial year. The Council had experienced a deficit in previous years. A rolling programme was in place whereby any surplus or deficit was carried forward to future years.

The Committee approved the Taxi and Private Hire Fees and Charges for 2024-25 for public consultation which will take effect from 3 June 2024, should no objections be received.

L6 TAXI AND PRIVATE HIRE ANNUAL REPORT

The Committee received a report from the Senior Specialist, Licensing, Mike Smith. The Committee noted the annual update was in respect of licensing matters which included the taxi and private hire licensing function. The Council, in its role as Licensing Authority, was responsible for administering and enforcing a number of pieces of legislation such as the Licensing Act, Gambling Acts and Sexual Entertainment Venues, Taxi and Private Hire, Charitable Collections, Street Trading or Pavement Licensing as well as a number of associated sub-functions. There was a very clear link between the licensing function and the Council's strategic plan, in respect of both protecting the public and encouraging economic development. The Committee noted that the report set out an overview of the taxi and private hire function, giving members the number of applications that had been dealt with as well as number of complaints received.

The Committee noted that there was no change in the position on the way the Council administered the knowledge test. It was important to remember that the knowledge test was just one of a number of checks that drivers had to complete before a licence was granted and included things like literacy tests, highway code tests, DBS and medical assessments. The test had been administered online for some time and started during Covid when people could no longer come into the office to complete the knowledge test. Staffing pressures had also exacerbated being able to review this procedure. The Committee welcomed the news that a new member of staff had been recruited to the Licensing Team and that the administration of the Knowledge Test could be reviewed in the near future in line

with the best practice guidance. The Hackney Carriage Fares would be reviewed later this year. An active workplan was also in place.

The Committee noted that it was currently in the Licensing Policy that drivers had to undertake a vocational qualification which had been in place since 2015. Existing and new drivers had all undertaken the qualification despite initial concerns.

The Committee noted that the cost of renewing a hackney carriage and a private hire licence was the same, yet the knowledge test for the hackney carriage driver was more extensive. It was therefore queried whether this was reflected in the price. It was confirmed that the knowledge test was paid for separately.

The Committee noted the updates provided on the Council's Licensing and Registration functions in respect of taxis and private hire.

L7 LICENSING ANNUAL REPORT

The Committee received a report from the Senior Specialist for Licensing, Mike Smith. An update was provided in respect of the other licensing functions which the Council was responsible for. This included; the Licensing Act 2003, Gambling Act 2005, Sexual Entertainment venues and shops, charitable street and house to house collections, street trading, pavement licensing and animal activity licensing. Later on in 2024, the new pavement licensing provisions would be introduced which would necessitate the updating of the Council's Pavement Licensing Policy. The Council's Street Trading and Charitable Collection policies had not been reviewed for a number of years. The Council's Statement of Gambling Principles was also due for statutory review.

The Committee noted a query raised regarding the licensing of mobile home sites which fell under the responsibility of housing at the Council to licence and approve the site owners of mobile home sites. There were 400 such homes in Councillor Witham's ward, and in the borough between 750 to 1000 mobile homes. There should therefore be a reference to it in the annual report. The Senior Specialist for Licensing, Mike Smith confirmed that he had spoken to the Private Sector Housing Manager, and he was very happy to do such a report in this particular area for a future meeting of the Committee. In addition, this aspect of the Council's licensing would also be included in the Licensing Annual Report in future.

The Committee noted that a review of the towns CCTV system and its monitoring was currently taking place. The Safer Streets Fund was being used to repair those CCTV locations where they haven't been working to date.

The Committee noted that the licensing department had not had the staffing capacity to apply for the Purple Flag Award status this year. It was a strategic decision owing to the costs involved as well as manpower availability at the Council, Experience Guildford and the Police. There were three occasions throughout the year in which the Council could apply for the award. Whilst the Council did not have accreditation, both the Council and its stakeholders were doing a huge amount of work to continue to keep the town safe.

The Committee queried when the full recommencement of proactive enforcement would start given the additional manpower now in place in the licensing department. The Senior Specialist for Licensing, Mike Smith confirmed that they had a risk-based programme of inspecting licensed premises which had already started.

The Committee noted that there had been a large number of Sub-Committee hearings held to date, in particular Licensing Regulatory Sub-Committees for taxi drivers. The Committee agreed that a fuller breakdown of what had been considered and the reasons why was to be included in future Licensing Annual Reports.

The Committee noted the update provided on the Council's Licensing and Registration functions.

L8 BEST BAR NONE AWARD - VERBAL UPDATE

The Committee received a verbal update on Best Bar None from the Senior Specialist for Licensing, Mike Smith. Best Bar None was a nationally accredited scheme endorsed by the Home Office which celebrated best practice amongst the licensed trade. It involved looking at the relevant licensing objectives and making sure that venues had the relevant policies and procedures in place. The Guildford scheme had grown significantly over the last few years which was very much thanks to fellow colleagues at Experience Guildford, the Police, the Fire Service and the Council. A total of 38 venues had gained accreditation across the town with a number of winners as detailed below:

- Best Restaurant Independent – Positano
- Best Restaurant National – Turtle Bay
- Best Pub Independent – Royal Oak

- Best Pub National – The Britannia
- Best Entertainment Venue – G Live
- Best Bar Independent – Guildford Jubilee Social Club
- Best Bar National– The Rodboro Buildings
- Best Late Night Small – 33Hertz
- Best Late Night Large - Aux -Outstanding Contribution to the Evening and Late Night Economy – Tim Brown, paramedic for Aux
- Most Improved Venue – The George Abbot
- Overall Winner – Guildford Jubilee Social Club

The Committee noted that Guildford Town had recently won the Best Town Award as part of the Best Bar None National Awards. The Committee fully supported the Council’s continued work in this regard in partnership with their key stakeholders such as Experience Guildford and the Police.

L9 PURPLE FLAG AWARD - VERBAL UPDATE

The Committee received a verbal update about the Purple Flag award from the Senior Specialist for Licensing, Mike Smith. The Purple Flag Award celebrated safety and diversity and partnership working in the night time economy. Accreditation had not been sought this year by the Council, but the important work still continued by all stakeholders in making Guildford a safe place.

L10 LICENSING COMMITTEE WORK PROGRAMME

The Committee discussed its work programme for 2024-25. The Legal Advisor, Kate Gillman suggested that Martyn’s Law, which had not yet come into effect, was included in the Licensing Act Review. Mike Smith, Senior Specialist for Licensing confirmed that he would include it as part of an update to the Committee once the Government passes the Bill to Parliament.

The Committee also agreed that mobile homes was included as part of the Licensing Committee Annual Report every year as well as receiving an update on this aspect of licensing from the Private Sector Housing Manager either at the Committee’s meeting in May or July.

The meeting finished at 8.05 pm

Signed

Date

Chairman