

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 Tom Hunt and the Mayor, Councillor Masuk Miah.

L2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

There were no disclosures of interest.

L3 MINUTES

The minutes of the Licensing Committee meeting held on 23 November 2022 were signed by the Chairperson as an accurate record.

The Committee noted that there were no minutes of the Licensing Committee held on 14 March 2023 as it was adjourned owing to the meeting being inquorate.

L4 LICENSING COMMITTEE ANNUAL REPORT

The Committee received an annual report from the Senior Specialist – Licensing and Community Safety, Mike Smith. The report covered the areas of licensing that the Council as a Licensing Authority had responsibility for in administering and enforcing a number of pieces of legislation such as the Licensing Act, Gambling Act, Sexual Entertainment Venues, Charities, Street Trading, Pavement Licensing and Animal Activity Licensing.

The Committee noted that it was good to see there had been no appeals for new premises licence application. There had been an increase in Temporary Event Notices (TENs) in 2022 which was a result of post-Covid as well as the variance in the number of suspensions.

The Senior Specialist – Licensing and Community Safety, Mike Smith confirmed that the Licensing Committee had made good decisions in relation to premises licence applications which had resulted in no appeals being made. In 2020/21 there was a huge reduction in the number of TENs owing to the Covid restrictions in place. However, in 2022 the number of TENs received was back up to 600 and anticipated a similar number in 2023. In terms of suspensions, premises licences could either be suspended by way of a review, with a Sub-Committee imposing the sanction of a suspension for a period of up to three months. Where the licensing annual fee had not been paid then the Licensing Authority had a duty to take legal action to suspend a premises licence for non-payment of the fee. This occurred in 2020 where a few premises licences were suspended. However, the Council was fairly lenient overall, being conscious of the fact that a large proportion of businesses were closed within that time. In 2022, no suspensions had been issued for non-payment of annual fees. The Licensing Authority was currently going through the process of making sure that fees were paid and reconciled so that the Council was able to recover its costs, therefore the figure given for suspensions this year could be higher.

The Chairperson, Councillor Young wished to convey her congratulations to the licensing team on the work that undertook during Covid as well as for the work put towards the Purple Flag Award which was now in its eighth year.

The Committee noted the Licensing Annual Update report for their information.

L5 TAXI LICENSING ANNUAL REPORT

The Committee received an annual update report on the taxi and private hire trade from Mike Smith, Senior Specialist, Licensing and Community Safety. The Committee noted that the Council in its role as the Licensing Authority was responsible for administering and enforcing a number of pieces of legislation and guidance surrounding the Councils licensing and registration functions. The report detailed the Council's responsibilities, details of the service, statistics, service requests and future projects. It also detailed the support that the Licensing Authority had offered to the trade whilst the covid restrictions were in place. The Committee noted that the taxi policy was updated a few years ago and brought in a number of further measures in respect of standards for vehicles

and drivers. For example, livery vehicles now had to be fitted with CCTV, following the approval of that policy in 2021.

The Committee noted that the number of hackney carriage driver applications had increased in 2021-22, probably as a result of covid. It was further noted that the taxi knowledge test could be completed at the applicant's own home and confirmation was sought that this was correct.

Mike Smith, Senior Specialist, Licensing and Community Safety confirmed that the Council's knowledge test had proved popular. It used to be offered as a paper-based test that applicants had to sit in Council Chamber and officers subsequently marked. However, this procedure took up a lot of officer time, to generate the test paper and mark 20-30 test papers at a time and then manually communicate the results to the drivers. As covid restrictions lifted there was a pressure on local authorities to make sure that they had met their statutory duties in issuing taxi driver licences. In order to fulfil that demand, the Council therefore started offering an online test which had to be booked and a secure link was then sent to the applicant's email address. Mike did not have the pass and fail rates of the tests to hand but could be obtained and circulated to the Committee for their information. The integrity of the process was called into question by allowing people to take the test at home. It was noted that people did still fail the test. Further checks and balances could be introduced such as monitoring IP addresses. However, in order to bring the test back in-house would require IT support which already had a number of projects delayed. Assistance was therefore required from an outside IT company and it was uncertain when that would transpire.

The Committee remained concerned regarding allowing applicants to take the taxi knowledge test at home. How was the identity of the applicant verified given that someone else could easily take the test on that person's behalf. The safety of the public was paramount and the Committee wanted to ensure that the person who had passed to test was the same person who would be driving the taxi.

Mike Smith, Senior Specialist, Licensing and Community Safety confirmed that the safety of the public was of paramount importance. People sitting the taxi knowledge test are sent a unique link to their email address. However, a more robust checking process was sought whereby the testing could be taken back in house and peoples ID's checked. It was also noted that the taxi knowledge test was only a small part of the process of becoming a taxi driver. Applicants needed to complete an enhanced DBS check, a medical examination and a driving

assessment where they have to show a copy of their driving licence. Whilst it was acknowledged that the knowledge test was open to abuse there were a number of safeguards in place to ensure that the applicant was one in the same person.

The Committee noted the table relating to the cases considered by the licensing or regulatory sub-committee. In 2022, there were 13 cases considered in relation to whether a driver or an applicant was a fit and proper person. What was the proportion of those 13 cases where the person or applicant was found to be unfit and how many cases were either revoked or refused. Mike Smith, Senior Specialist, Licensing and Community Safety confirmed that he did not have the figures to hand but would collate the information to send to councillors shortly.

The Committee noted the table on page 25 which detailed that the Council had received 133 complaints in 2022 which were mostly in relation to safety and comfort. Had any complaints been received about the refusal of taxi drivers to carry guide dogs? Mike Smith, Senior Specialist, Licensing and Community Safety confirmed that he was not aware of any such complaints relating to a refusal by taxi drivers to take guide dogs. A piece of law was introduced last year to give additional protection to disabled people in this regard and the Licensing Authority had made drivers aware of their duties of carrying passengers who require extra assistance. In 2017, Mike was made aware of a concern raised in relation to this and trade test assessments were carried out as a result.

The Committee noted the annual update it received in relation to Taxi and Private Hire licensing.

L6 PURPLE FLAG REPORT

The Committee received an annual update on Guildford's Purple Flag accreditation. This was awarded by the Association of Town and City Managers and celebrated safety, diversity and partnership working in the night time economy. Any town which held such accreditation demonstrated that it had a well run night time economy where people can go out and feel safe. Guildford was the only town in Surrey that held the accreditation and was one of 70-80 holders of the award nationally. The Licensing Authority worked closely with its partners, Experience Guildford and Pubwatch. Following 'Future Guildford's' restructuring at the Council resources were limited on progressing Purple Flag as much as they wished to however officers were very much committed to supporting its principles.

The Committee queried how the accreditation process worked. It was confirmed that the award had to be applied for every year. There was also a bi-annual

inspection process carried out in person and interim renewals were issued via a paper based exercise.

The Committee noted the update provided in relation to the Guildford Purple Flag Accreditation.

L7 SHORT TALK ON GUILDFORD NIGHT TIME ECONOMY

The Committee noted and received a short talk regarding the Guildford night time economy from representatives of Experience Guildford and Pubwatch.

Please view the talk here: [Licensing Committee - Wednesday 26 July 2023, 7:00pm - Start video at 0:33:20 - Guildford Borough Council webcasts \(public-i.tv\)](#)

L8 LICENSING COMMITTEE WORK PROGRAMME

The Committee noted a request to include on its work programme the licensing of mobile home sites in the Borough. It was confirmed that this work fell under the remit of the private housing team to whom this issue would be raised with to provide an update.

The meeting finished at 8.25 pm

Signed

Date

Chairman