
BRECKLAND COUNCIL

At a Meeting of the

LICENSING COMMITTEE

Held on Wednesday, 21 October 2020 at 10.00 am

**This meeting is in line with The Local Authorities and Police and Crime Panels
(Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings)
(England and Wales) Regulations 2020**

PRESENT

Councillor M. Chapman-Allen (Chairman)	Mr T. R. Carter
Mr S Askew	Mrs S. Dowling
Councillor C. Bowes	Mr P. Morton
Mr M. P. Brindle	

In Attendance

Laura Anderson	- Assistant Licensing Officer
Josie Hoven	- Licensing Team Leader
Rory Ringer	- Democratic Services Manager
Sarah Wolstenholme-Smy	- Legal Services Manager (Deputy Monitoring Officer BDC)
Lisa Turner	- Assistant Licensing Officer
Teresa Smith	- Democratic Services Team Leader
Julie Britton	- Democratic Services Officer

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16/20 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 11 March 2020 were agreed as a correct record.

17/20 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Councillors Brame, Dale and Kiddell.

It was found that Councillor Keith Martin and Councillor Linda Monument could not access the Zoom invite; therefore, their apologies were noted after the meeting.

18/20 URGENT BUSINESS (AGENDA ITEM 3)

None.

19/20 DECLARATION OF INTERESTS (AGENDA ITEM 4)

None declared.

20/20 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

None.

21/20 DFT HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE STANDARDS UPDATE (AGENDA ITEM 6)

The Licensing Team Leader, Josie Hoven provided Members with a detailed presentation and explanation in respect of the Department for Transport (DFT) Statutory Taxi & Private Hire Vehicle Standards.

These Standards had been released on 28 July 2020 and overview was provided to Members for their attention. There was evidence to support the view that taxis and private hire vehicles were a high-risk environment and there had been links between the trade and child sexual abuse and exploitation in some areas; however, all passengers would benefit from the recommendations within it.

These new taxi standards would replace relevant sections of the Best Practice Guidance issued by the DFT in 2010. The safety of the public was paramount, and this is what the DFT was looking to improve with these national standards. This work was a high-level priority for the Team.

The DFT had stated that licensing authorities must have consideration for the statutory taxi and private hire vehicle standards that had been set. The past failings of licensing regimes must never be repeated and the DFT had carefully considered the measures contained in the Standards and have recommended that they should be put into practice and administered appropriately to mitigate the risk posed to the public.

The Standards recommended that the Authority reviewed its Taxi and Private Hire Licensing Policy every 5 years. This would bring it in line with the Licensing Act 2003 and Gambling Act 2005 which were also reviewed every 5 years. Interim reviews should take place if any local or national issues arose and the performance of the policy should be reviewed regularly. Any actions from the new standards should be implemented within 6 months by the end of January 2021.

The Standards also recommend the following requirements for drivers:

- DBS enhanced level with both barred lists (barred to work with children or adults) must be checked.
- Drivers should be required to evidence continuous registration with the DBS update service online and with the individual's consent enable the licensing authority to routinely check for new information.
- The DFT have made recommendations on the assessment of previous criminal convictions and rehabilitation periods.
- Safeguarding Awareness training to include county lines exploitation training.
- Language proficiency – written and oral is recommended.
- Licence holders should be required to notify the issuing authority within 48 hours of certain types of offence, charge or caution

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Private hire operators would have to demonstrate that all staff that had contact with the public and/or oversee the dispatching of vehicles did not pose a risk to the public. A suggestion put forward had been to retain a register of all staff and details of the checks that had been undertaken by the operator on those staff. A basic disclosure should be the minimum requirement.

Private hire operators would need to provide their own policy on this and on employing ex-offenders (if applicable) to the licensing authority. Information for each booking should be kept securely and retained for six months and guidelines on what information and how it must be kept securely should form part of the policy.

All other areas within the presentation were explained in detail including training for Members, having a robust system in place for receiving and recording complaints, the consideration of a blanket requirement for CCTV to be installed in vehicles, and joint authorisation of enforcement from neighbouring authorities so that compliance and enforcement action could be taken against licensees from outside their own area.

The Licensing Team would be coming back to the Committee in future with a more comprehensive list of what changes needed to be made and the suggested recommendations.

The Chairman asked how long companies had to notify the authority of a change of ownership or directorship. Members were informed that there was nothing in the current policy so the Council would not be aware of any such changes until renewal of the licence which was every 5 years. According to the new DFT guidelines there was now a requirement to notify the licensing authority immediately if there was any change in directors or partners.

The Chairman also asked about sharing information between various authorities in respect of those drivers who had been convicted and refused a licence. Members were informed that there was a national register that Breckland Council had already signed up to when an authority refused or revoked a licence. Additionally, there was a data sharing protocol between authorities in the Norfolk area as well as with the Police.

Councillor Dowling referred to the recommendation about written and oral language skills and asked how this would be followed up as she felt that this would be quite difficult to implement. The Licensing Team Leader believed that other authorities were looking at doing a knowledge test which would ultimately check the written and oral skills of the driver and this was taking place with a Licensing Officer in attendance albeit virtually at the moment. Breckland Council would be looking to do something similar.

In response, Councillor Dowling asked if a certificate would be issued if the test had been completed satisfactorily. Members were informed that this would most probably form part of the application process.

Councillor Moreton felt that as the changes were quite onerous, he was pleased to note that there was going to be some training for Members and asked if existing operators who had been operating for a number years

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would also have to go through the application process again and be assessed, as he had concerns about the additional workload. Members were informed that for drivers, the Licensing Team would have to review any convictions against the Convictions Policy. Private Hire Operators would need to provide their own policy on how they were checking their staff and any other requirements that had been brought about from these Standards. It would not be a re-application process, but the Committee would be asked at a future meeting how they wished to progress in respect of re-checking drivers and what that criteria might be. The Licensing Team Leader hoped that the majority, if not all the drivers that were currently licensed, required these new DFT guidelines as Breckland Council had quite a robust Policy for convictions already in place.

The Chairman had noted that there would be a number of conditions and changes for the Committee to consider in January 2021 and asked if everything would be ready by then. The Team Leader advised that she would be working on these between now and Christmas and had every intention of bringing these back to Members next year.

It was agreed that the presentation would be emailed to Licensing Committee Members after the meeting.

22/20 GENERAL UPDATE ON LICENSING MATTERS (AGENDA ITEM 7)

The Legal Services Manager, Sarah Wolstenholme-Smy provided Members with an update.

In terms of taxi updates, a small number of licences had been surrendered and a few operators had reduced the number of vehicles; however, applications for drivers and vehicles were still forthcoming. Approximately 15 vehicles had been fitted with suitable screens to protect the passengers and guidance had been provided. The guidance had also been uploaded to the Breckland website. One notification had been received from a couple of licensed drivers having to self-isolate due to Covid and all procedures had been followed in respect of track & trace and as it was a school contract, Norfolk County Council had been informed.

The Chairman highlighted the appalling cases of animal welfare that she had read about in the local newspaper advertised on various media channels and was pleased to announce that Breckland Council was looking to appoint a part-time Animal Welfare Officer with enforcement experience. This would send out a firm message to unscrupulous owners that Breckland Council would not tolerate such cruelty and as such the highest animal welfare standards would be maintained. The Democratic Services Manager, Rory Ringer pointed out that the animal welfare post would be on an initial 2 year fixed contract and the advert for this position would be advertised soon which hopefully would attract some really good applicants with enforcement experience.

On another matter, the Chairman congratulated Josie Hoven on her well-deserved promotion to Licensing Team Leader. Josie brought a wealth of experience to the post and she knew that the Team were happy with the decision.

The Chairman also thanked Sarah Shipley, a shared Public Protection

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Manager for keeping her so well informed and up to date and especially to Rory Ringer who she had been in constant contact with and who had a wealth of licensing experience.

It was also pointed out that the Leader, Sam Chapman-Allen along with Rob Walker, the Executive Director of Place and the Licensing Officers had visited all licensed premises in the Breckland area to ensure that all had what they needed to continue to operate and were Covid compliant. The Chairman conveyed her thanks to all concerned.

Councillor Bowes was pleased to hear that an animal welfare officer would be employed soon as he had been informed of a couple of unlicensed puppy breeders in her neighbouring ward and asked who the Ward Member would need to contact on this matter at this present time. The Licensing Team Leader advised that the Ward Member could report it to the Licensing Team via email: licensingteam@breckland.gov.uk and all information would be treated confidentially.

23/20NEXT MEETING (AGENDA ITEM 8)

The arrangements for the next meeting on Wednesday, 27 January 2021 were noted.

The meeting closed at 10.25 am

CHAIRMAN