
BRECKLAND COUNCIL

At a Meeting of the

LICENSING COMMITTEE

**Held on Wednesday, 21 July 2021 at 10.00 am in the
Breckland Conference Centre, The Anglia Room, Elizabeth House, Walpole Loke,
Dereham, NR19 1EE**

PRESENT

Cllr Marion Chapman-Allen (Chairman)	Cllr Keith Martin
Cllr Tina Kiddell (Vice- Chairman)	Cllr Linda Monument
Cllr Richard Duffield	Cllr Philip Morton

Also Present

Cllr Gordon Bambridge

In Attendance

Josie Hoven	- Licensing Team Leader
Alan Goodall	- Animal Welfare Officer
Julie Britton	- Democratic Services Officer
Ruth Tudge	- Democratic Services Officer

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24/21 MINUTES (AGENDA ITEM 1)

The Minutes of the Licensing Committee meeting held on 21 October 2020 were agreed as a correct record.

25/21 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Councillors Bowes, Brindle, Carter, Colman, Dale and Taylor.

26/21 URGENT BUSINESS (AGENDA ITEM 3)

None.

27/21 DECLARATION OF INTERESTS (AGENDA ITEM 4)

None.

**28/21 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA
ITEM 5)**

Councillor Bambridge, the Executive Member for Waste & Environment and the Portfolio Holder responsible for Licensing was in attendance to observe the meeting.

**29/21 INTRODUCTION TO THE ANIMAL WELFARE LICENSING OFFICER -
ALAN GOODALL (AGENDA ITEM 6)**

Following introductions, Alan Goodall, the Animal Welfare Officer for Breckland provided Members with a detailed presentation that highlighted the type of activities his role entailed. His responsibilities included a proactive approach to the prevention of cruelty to animals, identifying animals at risk, animal welfare and responding to public callouts regarding possible animal abuse, enforcement and ensuring that all facilities were operating in compliance with legislation.

The presentation is attached (for information).

Councillor Duffield mentioned an animal breeder who had increased the number of dogs on site quite dramatically over the years, and he asked the Animal Welfare Officer if he had any legal powers to visit the site.

Members were informed that an Animal Welfare Officer had powers to visit any site if the site was licensed if not, and animal welfare was suspected, a warrant would be required to access the site.

Josie Hoven, the Licensing Team Leader was aware of this case that was prior to the 2018 regulations. She informed Members that if they had any concerns about animal welfare, they should contact the Animal Welfare Officer accordingly.

The Vice-Chairman, Councillor Kiddell asked the Animal Welfare Officer what would happen with the animals that had been seized. Members were informed that there were many places that the dogs could be taken such as the RSPCA etc.

In response to a question about pet shops/superstores, Members were informed that they would still require a license to keep animals on the premises.

Councillor Morton asked for further information in respect of the compliance work that was being undertaken. He also asked if there was any evidence of exotic animals being abused. It was noted that there were a number of cases that were under currently under investigation and the process was explained. As far as the latter question was concerned a licence would still be required under the Dangerous Wild Animals Act.

Councillor Duffield wanted to know if dogs had to be removed and put into kennels who paid for this. Members were informed that it was the Council's responsibility until a decision had been made by the court.

The Chairman thanked the Animal Welfare Officer for his presentation.

**30/21 CONSIDERATION OF A DRAFT REVISED TAXI POLICY AND
PROCEDURES (AGENDA ITEM 7)**

Josie Hoven, the Licensing Team Leader presented the report and provided Members with a detailed overview of the changes/additions that had been made to the Taxi Policy and procedures.

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The Department for Transport (DfT) had published its Statutory Taxi and Private Hire Vehicle Standards in July 2020 (attached at page 93 of the agenda pack). Licensing Authorities must have regard to the Standards document when setting and revising its policies and must recommend the revised document to Full Council for adoption following a six-week consultation process.

As the Council must have consideration of the Standards, a chart had been drawn up showing the advised changes (see page 133 of the agenda pack). The draft revised Taxi Policy had also been attached (see page 13 of the agenda pack).

Members were informed that overall Breckland Council was already adhering to most of the standards. A Policy review was carried out every 5 years and was last undertaken in 2006/07. There had been some amendments over the intervening years, but this was the largest review of the Policy that had been undertaken for some considerable time.

The review of the current policy had been taken with the DfT standards being taken into account. The vehicle specifications section would be reviewed at a later date alongside the Council's Sustainability Strategy to help tackle climate change.

The two main changes to the DfT Standards that Members were asked to consider was the continuous subscription to the DBS online update service and a language proficiency test.

In respect of the first change, Breckland Council currently advised licence holders to sign up to the DBS update service, but it was not a requirement and the reason for this was explained. Instead, it had been proposed that an annual self-declaration should be introduced that would include notification of any arrests, charges etc. This would be reviewed periodically and be changed accordingly.

The second change was the language proficiency test. It was noted that there had not been any issues raised in respect of this matter in the Breckland area and therefore would be kept under review.

Councillor Morton asked if this could remain as an option if an English test was felt necessary. Members were informed that such an option could not be included in the actual Policy itself. The Licensing Team Leader advised that this could be carried out at the Officers discretion as to whether they felt such a test was required. The process for this to take place was explained and again this matter would be kept under review.

This revised Policy sought to have everything in one place in one single document for transparency. Previously there had been two condition booklets, one for private hire drivers and one for hackney carriage drivers plus a standalone policy document and it was felt that such documents should be combined into one.

The entire look of the Policy had changed, the changes outlined in the chart at section 1.3 had been added along with other various changes (see paragraph 1.5 of the report). Members were briefed on a number of these changes including the diabetes policy and the NR3 register. Electric and

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hybrid vehicles had also been included.

The complaints procedure had also been updated making it easier for the public to use and a complaints webform would be included on the Council's website. It also explained the issues that the Council could investigate or whether it was the Police.

Appendix A of the report was in respect of the Code of Good Conduct for Licensed Drivers (page 55 of the agenda pack). This did exist previously but had not been included in the Policy itself as it was a separate document and was just in respect of safeguarding matters. A dress code, respecting customers and other drivers/road users had now been introduced. This document also included the annual self- declaration.

The Intended Use Policy was also new and details of what had been included in this Policy could be found on page 60 of the agenda pack at Appendix B. Applicants for new licences would be expected to demonstrate a bona fide intention to apply for hire in the Breckland area under the terms of the licence for which the application was being made.

The Vice-Chairman, Councillor Kiddell, thanked the Officers involved in compiling this draft revised Policy and procedures. A great deal of effort had been put into this and the Policy had been brought up to a very good standard that was not only going to reflect good service to the public but also a standard for the drivers to adhere too.

Councillor Monument raised one query in respect of the NR3 register where it stated on page 50 of the agenda pack that information obtained through an NR3 would only be kept for 35 days unless there was an Appeal, then on the following page it stated that Breckland Council would keep such records for 25 years. She asked how these had been reconciled.

Members were informed that legal advice on this query would be sought.

Councillor Morton asked the Licensing Team Leader to expand on why it had been decided not to include the emissions policy that went against DfT advice. He found this disappointing particularly as Breckland Council had adopted a Climate Change Strategy.

Members were informed that the DfT document did not specifically mention climate change it was mainly an explanation on vehicles that had the lowest emissions. The reason this had been omitted was that the trade had been heavily hit. Breckland had seen a massive drop in the number of drivers and vehicles available during the pandemic and it would be very unfair of this Council to force drivers into an added expense of purchasing new low emission/electric vehicles. Time would be given to the trade to recover from the Covid period and would be investigated again at some point in the future.

Councillor Morton hoped that drivers had been able to pick up some compensation for the lack of business but was still disappointed that this Council was not sending out the right messages in respect of climate change.

The Chairman stated that such matters had been under discussion for

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some time and the Licensing Team would be keeping an eye on this going forward.

Members were reassured that the Council was on board with the Government's Climate Change deadline of 2030 and ultimately, there was enough time to implement those changes with the taxi fleet before that date.

Councillor Monument had read through the whole Policy and had found a number of various small changes that needed to be made. She asked if a paper copy could be made available to highlight these anomalies and send to the Team to feed into the consultation process.

The Chairman then asked Members if they were happy for the document to go out to public consultation and following a vote it was agreed that the consultation period should be amended from 5 September to 12 September 2021.

Councillor Bambridge the Portfolio Holder responsible for Licensing asked the Licensing Team Leader would the change to the date have any effect on the progress through the other stages of the Council. Members were informed that it would not as plenty of time had been allowed between each stage of the process to review any comments/responses. The Policy would then be brought back to the Licensing Committee in October then to Full Council for adoption in December 2021.

Subject to one abstention, it was

RESOLVED that the revised draft Taxi Policy and Procedures document be approved and issued for public consultation until 12 September 2021.

31/21 LICENSING UPDATE (AGENDA ITEM 8)

Nothing further to report.

32/21 NEXT MEETING (AGENDA ITEM 9)

The arrangements for the next meeting on Wednesday, 20 October 2021 at 10am in the Anglia Room, the Conference Suite, Elizabeth House, Dereham were noted.

The meeting closed at 11.10 am

CHAIRMAN