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BRECKLAND COUNCIL

At a Meeting of the

LICENSING COMMITTEE

Held on Wednesday, 11 January 2023 at 10.00 am in
The Breckland Conference Centre, Anglia Room, Elizabeth House, Walpole Loke,
Dereham, NR19 1EE

PRESENT

Cllr Marion Chapman-Allen (Chairman)	Cllr Mark Kiddle-Morris
Cllr Tina Kiddell (Vice- Chairman)	Cllr Keith Martin
Cllr Tristan Ashby	Cllr Philip Morton
Cllr Mike Brindle	Cllr Taila Taylor
Cllr Richard Duffield	

In Attendance

Craig Fowler	- Environmental Health & Licensing Manager
Josie Hoven	- Senior Licensing Officer
Julie Britton	- Democratic Services Officer

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1/23 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 19 October 2022 were agreed as a correct record and signed by the Chairman.

Councillor Mark Kiddle-Morris abstained from voting on these Minutes as he was not in attendance at the October meeting.

2/23 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Councillors Bowes, Dowling and Wickerson.

3/23 URGENT BUSINESS (AGENDA ITEM 3)

None.

4/23 DECLARATION OF INTERESTS (AGENDA ITEM 4)

None declared.

5/23 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

None.

6/23 INTERIM CHANGES TO THE BRECKLAND TAXI POLICY (AGENDA ITEM 6)

Josie Hoven, the Senior Licensing Officer presented the report.

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Members were being asked to review the proposed changes to the Breckland Hackney Carriage and Private Hire Policy. It had been intended to review the vehicle specification by the end of 2022 in line with Department for Transport Standards; however, the DFT Standards document had not yet been released and in order for the policy to reflect the current legal requirements, Members were being asked to consider updating a number of conditions (see sections 1.2 to 1.5 of the report on pages 6 and 7 of the agenda pack). The Senior Licensing Officer explained each one in turn.

Members had the option of either to agree the new conditions, make amendments to the conditions or do nothing. It was noted that these were considered as minor amendments so no form of consultation would be required.

The Chairman, Councillor Marion Chapman-Allen had noted that the Senior Licensing Officer had consulted six neighbouring authorities in respect their policy on window tints; five of which had responded and had removed this condition.

Councillor Morton had noted that the Licensing Team only requested the HMRC code every 3 years and asked if it would be possible to ask for it sooner.

Members were informed that this was an HMRC requirement, it was their policy, HMRC set the standard and could not be changed.

Councillor Kiddell, the Vice-Chairman thanked the Senior Licensing Officer and the Team for bringing this forward and hoped that these amended conditions, if approved, would come into immediate effect, particularly the tinted windows.

Councillor Kiddle-Morris agreed with the recommendation as he was aware that no-one was able to purchase a new car without tinted windows.

Councillor Morton agreed with the aforementioned comment and was disappointed that people were not given the choice.

The Senior Licensing Officer pointed out that the Team had a tint meter that measured the degree of tints as there were many variations and windscreens and front windows would continue to be measured to ensure vehicles were legal. It was noted that some vehicles had tinted film on the windows which, if it did not meet the legal requirement could be removed by the police, and, if necessary, the vehicle could be confiscated. All neighbouring authorities had gone down this route.

Craig Fowler, the Environmental Health & Licensing Manager said that for front windscreens there was a great deal of information available in respect of public safety.

The recommendation was proposed and seconded, and following a unanimous vote, it was:

RESOLVED that the proposed interim changes outlined in the report be

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approved and the Breckland Hackney Carriage and Private Hire Policy be updated with immediate effect.

7/23 LICENSING FEES AND CHARGES (AGENDA ITEM 6)

The Environmental Health & Licensing Manager provided Members with a verbal update on the licensing fees and charges. It was noted that no decision was required from this Committee as this would be a Cabinet decision; however, any recommendations from the Licensing Committee would be put to Cabinet accordingly.

Due to inflation costs, there was a proposal to increase fees and charges from 1 April 2023 by 6.5%, this did not include fees for Zoos and Dangerous Wild Animals. These increases had been based on the treasury forecast and was consistent across the Council for the next 3 years based on cost recovery and following inflationary pressures.

In respect of Hackney Carriage and Private Hire licences, the Council was obliged to advertise a public notice and consult on the proposed changes for a minimum of 28 days and, although not required to do so, letters would also be sent to the trade to advise them. If any representations were received, a report would be brought back to the Licensing Committee for Members to consider and make recommendations to Cabinet.

A new fee structure that followed the legal process had already been implemented in respect of the licensing of Zoos and Dangerous Wild Animals. This new fee structure was slightly over 6.5% and was also based on cost recovery and would be emailed out to all Members for information. The process and new fees were explained.

The Chairman felt that this review was long overdue, and the increase would ensure that it covered officers' time for the next 3 years.

The Vice-Chairman was concerned about increasing the Hackney Carriage and Private Hire licence fees as these had only been increased quite recently. She asked how much of a difference this would make as it could have a detrimental to the trade.

Members were informed that these were discretionary fees. The various increases were highlighted. The Finance Team had felt that this increase was reasonable as there were many inflationary pressures that had to be taken into account.

In response to a question, Members were informed that an annual review would be carried in future out to ensure that the fees were correct based on cost recovery and inflationary pressures.

Councillor Ashby asked what the case work was like on wild animals.

In response, the Environmental Health & Licensing Manager stated that Breckland did not have that many, they were generally private collections, and based on animal welfare and public safety.

Referring to the comments made by the Vice-Chairman, Councill Ashby remembered that many conversations had been had at previous meetings

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about the impact the increase in fees would have on the taxi industry, and how much this would push them in terms of running a successful business. He felt that it was rather difficult for Members to make any informed comments with a verbal report and felt that it would have been helpful to have a written report.

The Environmental Health & Licensing Manager said that he would be happy to email all details to Members subject to comments received from the trade once consulted.

The Vice-Chairman agreed with a yearly review but as it had not been that long since the fees had been increased, she asked if this could be deferred as she felt that it was unfair to have two increases in one year.

The Chairman reminded Members that they were not being asked for a decision, just feedback.

The Environmental Health & Licensing Manager pointed out that the fees were last increased from 1 April 2022 and this proposal would be from 1 April 2023.

Councillor Morton shared the above concerns about the viability of the taxi businesses and felt that 6.5% was too high. Administration costs were closer to 5% and could probably be tolerated for a year.

Councillor Duffield asked if Officers time had been calculated on individual cases or was it guess work. He felt it would be difficult to agree to an increase of 6.5% on everything without the relevant information to justify the officer's time.

Members were informed that in 2022 a full cost recovery calculation had been carried out based on an average job and detailed calculations were available for every licence.

On another matter, and referring to Councillor Ashby's comments, the Chairman was pleased to announce that Alan Goodall, the Council's Animal Welfare Officer was now a qualified Zoo inspector, also, at the staff awards event in December 2022, he had received a *commendation* for his work on animal welfare.

All Members conveyed their congratulations.

8/23 NEXT MEETING (AGENDA ITEM 7)

The arrangements for the next meeting on 22 March 2023 at 10am in the Anglia Room were noted.

The meeting closed at 10.40 am

CHAIRMAN