

Licensing Committee



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Friday, 26 July 2024 at 10.45 am
Council Chamber - South Kesteven House, St. Peter's Hill,
Grantham. NG31 6PZ

Committee Members: Councillor Pam Bosworth (Chairman)
Councillor Elvis Stooke (Vice-Chairman)

Councillor Harrish Bisnauthsing, Councillor Helen Crawford, Councillor Steven Cunnington, Councillor Patsy Ellis, Councillor Paul Fellows, Councillor Jane Kingman, Councillor Philip Knowles, Councillor Robert Leadenham and Councillor Nikki Manterfield

Agenda

- 1. Apologies for absence**
- 2. Disclosure of interests**
Members are asked to disclose any interests in matters for consideration at the meeting.
- 3. Minutes of the meeting held on 28 June 2024** (Pages 3 - 6)
- 4. EXCLUSION OF THE PRESS AND PUBLIC**
It is anticipated that, in accordance with Section 100A(4) of the Local Government Act 1972 (as amended) the public may be excluded from the meeting during consideration of the following item of business because of the likelihood that otherwise exempt information, as described in paragraphs 1 and 2 of the Act (as amended) would be disclosed to the public.
- 5. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976** (Pages 7 - 23)
Licensing Officers report.
- 6. Any other business which the Chairman, by reason of special circumstances, decides is urgent.**

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Karen Bradford, Chief Executive

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Minutes

Licensing Committee
Friday, 28 June 2024



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Committee members present

Councillor Elvis Stooke (Vice-Chairman)
Councillor Harrish Bisnauthsing
Councillor Helen Crawford
Councillor Steven Cunnington
Councillor Patsy Ellis
Councillor Jane Kingman
Councillor Robert Leadenham

Officers

Graham Watts, Assistant Director (Governance and Public Protection) and
Monitoring Officer
Heather Green, Licensing Manager
Elizabeth Reeve, Licensing Officer
Lucy Bonshor, Democratic Officer

1. Apologies for absence

Apologies for absence had been received from Councillor Pam Bosworth, Councillor Paul Fellows, Councillor Philip Knowles and Councillor Nikki Manterfield.

2. Disclosure of interests

None disclosed.

3. Minutes of the meeting held on 10 May 2024

The minutes of the meeting held on 10 May 2024 were proposed, seconded and **AGREED**.

4. **Local Government (Miscellaneous Provisions) Act 1976 and Town Police Clauses Act 1847**

Decision

The Licensing Committee requested that the Policy be reviewed after three months from 1 August 2024 with the focus of the review looking at the daily walk around check, the English language test and explore the charges applied by other local authorities.

The Committee had received a request from Mr Kevin Addlesee to speak to the Committee in relation to the new Hackney Carriage and Private Hire Licensing Policy that came into effect from 1 June 2024. Two further requests to speak were also received from Mr Dean loizou and Mr Orner. As there was no public speaking at Licensing Committee meetings, the Vice-Chairman as Chairman of the Committee used his discretion to allow public speaking to take place.

Mr Addlesee stated that the taxi trade was struggling and that the increase in costs was having a detrimental effect on the trade and getting new drivers into the trade. He was thankful for the change that had been made in respect of the age of vehicles but the main concern were the extra costs that were entailed to undertake all the new tests which included a driving proficiency test together with an English language test. With all the new tests that had to be undertaken together with the application fee it came to £738.00 from the 1 August 2023. He stated that the application costs in South Kesteven were more than elsewhere in Lincolnshire and felt that there was no parity and that the taxi companies could not compete due to the high costs.

Another taxi operator, Mr Dean loizou stated that it was very hard for the companies to remain competitive with the costs. He couldn't see how drivers, who had been driving for a number of years needed to undertake a proficiency test and how that could benefit the trade. He could understand the test for new drivers but not ones that had been driving for a number of years. He also made reference to the English test and Knowledge test for drivers that had been driving for a number of years. He could understand the test for new drivers but not those who had been driving for a number of years. He also mentioned that the tests were outsourced and did not bring money back into the towns economy.

The Chairman thanked them for attending and for their comments.

The Licensing Manger then presented the report which provided an update following feedback relating to the implementation of the new Hackney Carriage and Private Hire Licensing Policy which had been adopted by Council on 23 May 2024. The new policy would be effective from 1 June 2024 for all new applicants, but for existing driver's changes would be effective from their renewal date after 1 August 2024.

There were six main points that had been raised following the implementation of the policy:

- 1) The overall cost of both the new requirements and renewals, leading to some licensing elsewhere/competitive disadvantage.
- 2) Agreement that the new tests should apply to new applicants, but why does it apply to existing drivers.
- 3) Why an existing driver, without any complaints about their driving, should be required to undertake a driver proficiency test, when the DVLA do not require it for a driving licence.
- 4) Why should someone who has lived in England all their life needs to demonstrate they have a qualification or undertake an English test.
- 5) Requests for compensation for those drivers who have invested in vehicles to match the previous age criteria.
- 6) The environmental impact and requirement for daily walkaround checks.

The report addressed each of the points raised. Following which Members discussed the report and the points raised. From the discussion Members felt that charges should be reviewed but noted that some of the tests were outsourced and carried out by external providers which the Council had no control over.

Questions were asked about other areas and the Licensing Manager stated that operators could be licensed in other areas but could only pick up pre booked fares and could not sit on ranks or ply for trade within South Kesteven.

Clarification was sort in respect of costs and it was again stated that the Council had no control over the costs from the outsourced tests. Application costs were based on cost recovery and no money was made from the Hackney Carriage and Private Hire Licensing function.

Changes to the policy had been made following Government guidance that had been issued. The Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847 was the legislation that governed hackney carriages and private hires. Statutory Government guidance was issued in 2020 and updated guidance issued in November 2023 which the new policy was based on. There was no statutory policy covering the whole of the UK.

Discussion then followed in respect of the English language testing and also what the walkaround daily check should entail. A proposal was made in respect of paragraph 4.3 of the report but it was felt that the Committee was not currently in a position to make a recommendation to Council. Further discussion followed in respect of daily checks with reference being made to lorry drivers who had to check their vehicles and also the checks of vehicles as highlighted within the Highway Code. It was proposed that 4.2 of the report should be carried out that the Licensing Committee request that the policy be reviewed after an agreed period of time to understand whether the changes had had an impact on new and renewal applications and that the charges of other Councils in the area should be

reviewed with the focus of the review being in respect of the daily walk around check and the English language test. This proposal was seconded; however, a timescale was then discussed and three months from the 1 August 2024 was agreed. The proposal was seconded and it was unanimously **AGREED**.

5. Any other business which the Chairman, by reason of special circumstances, decides is urgent.

A Committee Member raised concern in respect of the Forbidden Forest event that took place yearly at Belvoir Castle. There were a lot of “bogus” taxis at the event and he felt that something needed to be done to make people more aware. The Licensing Manager stated that she would be willing to attend any meetings in respect of the event for next year.

6. Close of meeting

The meeting closed at 11:12am.

Agenda Item 5

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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