

LICENSING COMMITTEE

23 February 2024 at 10.00 am

Present: Councillors Blanchard-Cooper (Chair), Haywood (Vice-Chair), Bence, Cooper, Goodheart, Madeley, McAuliffe, McDougall and Worne

Apologies: Councillors Batley and Patel

Note: Councillor Cooper was absent from the meeting during consideration of the matters referred to in Minute 671 onwards and did not return to the meeting.

664. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Batley and Patel.

665. DECLARATIONS OF INTEREST

There were no declarations of interest.

666. MINUTES

The minutes of the previous meeting held on 15 December 2023 were approved and signed by the Chair. The minutes of the Licensing Sub-Committee held on 11 December 2023 were noted by the Committee.

667. ITEMS NOT ON THE AGENDA WHICH THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES

There were no urgent items.

668. PUBLIC QUESTION TIME

The Chair invited questions from members of the public who had submitted their questions in advance of the meeting in accordance with the rules of the Council's Constitution.

The Chair confirmed that one question had been submitted and this was read out by the questioner and responded to by the Chair. The questioner was then invited to ask a supplementary question and was advised by the Chair that an answer would be provided *outside of the meeting*.

(A schedule of full questions asked, and the responses provided can be found on the meetings webpage [here](#)).

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The Chair informed the Committee that he was aware that some members had questions following PQT. He advised that whilst he would not normally allow this he would on this occasion and asked members to keep their questions brief.

The Group Head of Technical Services undertook to provide the Committee with a briefing note providing further details of the steps being taken to resolve the issues raised by the questioner.

#### 669. TAXI FARE SETTING

*[Councillor Bence re-declared his Personal Interest as a member of West Sussex County Council during discussion of this Item]*

The Environmental Health Team Manager was invited by the Chair to present the report. The report provided information to be considered for the annual review and setting of the maximum Hackney Carriages (Taxis) fare that drivers may charge customers for the period 1 April 2024 to 31 March 2025. He highlighted that officers had tracked diesel prices during the past twelve months and although prices had reduced they still remained at a fairly high level. Officers had considered the average fuel prices and cost of living, as well as the consultation responses received from the taxi trade and recommended that the proposed fares for 2024/25 be increased, as set out in appendix 2.

The recommendation was proposed by Councillor Blanchard-Cooper and seconded by Councillor Bence.

The Chair then invited members to make comment or ask questions. During the discussion a member sought clarification as to whether wheelchair users were charged a different fare based on the size of their wheelchair and the need for a larger wheelchair accessible vehicle, as well as the wording of the Equality Impact Assessment (EIA) regarding Disability (people with physical/sensory impairment or mental disability) at Appendix 3 in relation to the word 'Positive' impact. The Chair referred to paragraph 13.1 of the report that stated the charge was for the carriage of the person and not the type of vehicle used. He added that the wording sought to clarify that a taxi driver would not be able to charge a higher fare if a person required additional space for a wheelchair or for an assistance dog. The Environmental Health Team Manager explained that the EIA required officers to state if there was a positive or negative impact to ensure that there would not be any discriminatory charges. The Chair suggested that Councillor Worne should contact officers so that she could have an input into future EIAs.

A member raised concern that only just over half (52%) of the taxi trade respondents were in favour of the proposal with some respondents had stated concerns that an increase would drive down business and was of the opinion that the charges should remain affordable to those people in rural areas who often had no other transport options available. Reference was made to the fare increases being partly due

to current petrol and diesel prices, and therefore, this was an opportunity to influence behaviour by encouraging the use of hybrid and electric vehicles.

The Environmental Health Team Manager confirmed that there was no requirement for drivers to increase their fees following any fare increase and advised that a number of taxi drivers chose not to recalibrate their meters and keep the fares the same. He explained that as well as consideration of fuel increases the fee increase had considered other factors, such higher inflation, insurance costs and vehicle repairs. Therefore a balancing act was required to consider these increased costs as well as ensuring that the price increases did not prohibit customers from being financially able to use a taxi as otherwise the taxi fleet in the District may diminish. A member asked officers to provide details, outside of the meeting, as to whether the number of taxi drivers and businesses in the District were in decline and the cause of any decline. Reference was made to a national shortage of taxi drivers and the importance of supporting taxi drivers within the District was raised, as if it became financially unviable for them to operate there would be a shortage of taxis available.

Responding to a member suggestion that the Council should facilitate the installation of electric vehicle charging points at taxi ranks, another member advised that West Sussex County Council was currently rolling one of the largest on-street electric charging point local council programme in the Country.

The Environmental Health Team Manager confirmed that it was intended to reinstate a taxi forum once current licensing vacancies had been filled.

The Committee

RESOLVED

That Licensing Committee approve the table of fares as set out in Appendix 2, with effect from 1 April 2024.

#### 670. LICENSING FEES

*[Councillor Cooper declared a personal interest as a member of the Hair and Barber Council]*

The Environmental Health Team Manager was invited by the Chair to present the report. The report set out the proposed licence fees for specified licensing regimes to take effect on 1 April 2024. He explained that officers currently provided significant advice to applicants for which they were unable to charge. Therefore, a new pre-application advice fee was proposed that would allow officers to recover some of their costs by charging for pre-application advice if the advice provided was longer than 30 minutes. Changes had also been made to the way taxi applications were made with payment being required in advance, which would ensure the recovery of costs if an application was abandoned or withdrawn. A fee incentive was also recommended for taxi vehicle applications by offering a discounted fee for full electric and plug-in hybrid taxi vehicles.

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A typographical error in the proposed fees schedule, at appendix 2, was brought to the attention of members. Under the heading Animal Boarding Franchise, Provision Boarding (franchises) Re-score fee, Part A should read £39.00. Details were provided of a new charge for Animal Licensing Minor Variations fee recommended at £40.00, which had been omitted from the fee table.

The recommendation was proposed by Councillor Goodheart and seconded by Councillor Madeley.

The Chair then invited members to make comment or ask questions. Responding to the comments made, the Environmental Health Team Manager provided details of how fees and charges were reviewed, advising the fee increases were set on a cost recovery basis. As regards to a suggestion that the Gambling Act 2005 fees seemed low due to the negative social consequences compared to the profits made by gambling shops, he explained that the Council could not use fees as a deterrent, and although the fees charged by the Council were below the statutory maximum they had been set on the required cost recovery basis.

As regards to dogs being abandoned or indiscriminately sold by breeders and the suggestion that the fee should include a cost element of the impact of dealing with these dogs, the Environmental Health Team Manager advised that it was not possible to increase fees as a deterrent. However, the fee could be reduced as an incentive but it should be noted that the Council would not be able to recover all of its costs. He drew attention to the current challenges the service faced in recruiting qualified staff, which had an impact on the amount of additional work the service could carry out. It was noted that if members had a desire for officers to undertake more proactive work to identify unlicensed breeders officers would need to carry out work to understand the resources required and how it would be funded. He said that separately there is an intention to review the on-cost model to ensure the Council is fully recovering its costs through licence fees. The Committee requested that the outcome be reported back to a future meeting of this Committee.

Responding to further questions the Environmental Health Team Manager explained an inspection process was in place regarding the competence of skin piercers and there was no licensing regime in place for licensing dogs. If a stray dog owner could not be identified the Council could not collect the stray dog fee and if they no longer wanted their dog the Council would attempt to obtain the fee from them. He referred to periods where there had been a high number of stray dogs, for example post-Covid 19 pandemic and potentially following the introduction of the XL Bully type requirement.

A member referred to paragraph 4.7 of the report and welcomed the new incentive recommended of a discounted fee for the licensing of full electric and plug-in hybrid taxi vehicles. It was incumbent on the Council to assess the costs relating to carbon emissions. Officers were asked to consider, when reviewing the 2025-26 fees, they consider amending the pre-application advice fee to 15 minutes for businesses and 30 minutes for individuals. Officers were asked to consider having detailed discussions

with members around the specifics of gambling, the cost of carbon emissions and pre-application advice ahead of a report being considered by the Committee.

It was agreed that the questions, and officer responses, submitted by Councillor McAuliffe in advance of the meeting regarding the Council's procedures relating to stray dogs if not claimed after seven days and a suggestion that organisational oncosts should be increased further to capture a proportion for carbon emission offsets would be forwarded to the Committee.

Responding to further questions the Environmental Health Team Manager confirmed that it was statutory requirement for all dogs to be fitted with a microchip. As regards to Barber shops a member advised that there was no statutory licensing requirement. The Environmental Health Team Manager added that Barber shops fell under the Health and Safety at Work legislation, regulated by the environmental health officers to ensure premises were safe and can investigate any accidents or injuries that occurred. Further details were provided regarding the licensing of vessels and navigators under the boat fees. The fee for temporary event notices did not appear in the fees table as it was a statutory fee and the different fees charged for Licensing Act pre-application advice was based on the complexity of the event.

The Committee

RESOLVED

That Licensing Committee adopt the licensing fees as set out in Appendix 1, to be effective from 1 April 2024.

*[Councillor Cooper left the meeting at the end of this item and did not return].*

671. Q3 PERFORMANCE REPORT FOR THE KEY PERFORMANCE INDICATORS (KPI'S) WHICH FORM PART OF THE COUNCIL'S VISION 2022-2026.

The Chair invited the Environmental Health Team Manager to present the report to Committee. The report set out the performance of the Key Performance Indicators at Quarter 1 for the period 1 April 2023 to 30 June 2023.

The Committee noted the report.

672. WORK PROGRAMME

The Committee noted the Work Programme.

The Committee suggested the following item for inclusion.

- Gambling Policy fee increase

(The meeting concluded at 11.13 am)