

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the
Miscellaneous Licensing Sub-Committee
Held in the Council Chamber at 2.00 pm on **Thursday, 9 September 2021**

PRESENT

Councillors: Councillor Norman MacRae MBE (Chairman), Councillor Steve Good (Vice-Chair), Councillor Ted Fenton, Councillor David Jackson and Councillor Geoff Saul.

Officers: Michelle Bignell (Service Leader (Licensing and Business Support)), Andrea Thomas (ERS Officer, Professional Services) and Adrienne Frazer (Strategic Support Officer).

6 Minutes of Previous Meeting

The minutes of the meeting held on 2nd July 2021 were approved and signed by the Chairman as a correct record.

7 Apologies for Absence and Temporary Appointments

No apologies for absence were received.

8 Declarations of Interest

There were no declarations of interest received.

9 Participation of the Public

There was none.

10 Hackney Carriage and Private Hire Licensing Policy Review

Members considered the report from the Service Leader (Licensing and Business Support) which asked them to review, and if appropriate approve, the Draft Hackney Carriage and Private Hire Licensing Policy which it was proposed would come into effect from 1 October 2021. A copy of the draft policy was attached as Annex A to the report.

A number of background papers were also provided with the report including:

Annex B – Department for Transport (DfT) Statutory Taxi and Private Hire Standards

Annex C – Copy of Oxfordshire's Joint Operating Framework (JOF)

Annex D – Table showing a comparison between current requirements and the proposed requirements to ensure that the District meets the requirements from the DfT Statutory Standards

Annex E – Draft Conviction policy, enforcements and complaints policy and table of delegations

Annex F – the Council's current Hackney Carriage and Private Hire Licensing Policy (April 2018)

Annex G – Institute of Licensing's Guide to determining suitability of applicants and licensees in the hackney and private hire trades

Annex H – Copy of consultation responses and Officer appraisal

The Service Leader (Licensing and Business Support) explained that the policy had been finalised following a twelve week consultation period. She informed the Committee that the consultation had received a small number of responses and the feedback received had been included in the final policy documents. A copy of the responses received was attached as Annex H to the report.

The Chairman noted that the Council was ahead of many Local Authorities with its Hackney Carriage and Private Hire Licensing Policy. He also brought to the Committee's attention the work to introduce CCTV into private hire vehicles, which was ongoing.

Councillors Good and Fenton asked how data protection was managed with regard to the CCTV initiative. The Chairman advised that the response from the trade was generally positive. The Service Leader (Licensing and Business Support) informed the Committee that the Local Government Association (LGA) and the Information Commissioner's Office (ICO) had provided guidance documents on this. She added that the Council would need to complete a full data impact assessment and this was ongoing work for future implementation.

Having considered the report and having received clarification from the officers present, the Committee.

RESOLVED that the Hackney Carriage and Private Hire Licensing Policy be adopted and the policy would come into effect from 1 October 2021.

II Business and Planning Act 2020 - Extension to Pavement Licensing Regime

Members considered a report from the Service Leader (Licensing and Business Support) on the extension of the current pavement licensing regime and the review of the existing policy. The report asked Members to, if appropriate, approve the draft policy and the proposed fee for licences during 2021/22.

The Service Leader (Licensing and Business Support) explained that the Business and Planning Act 2020 was introduced in 2020 by central Government to support local businesses during the Covid-19 pandemic, including hospitality. The Act included numerous temporary relaxations to existing legislations including the introduction of the Pavement Licensing regime. She added that the Council had chosen to waive the fee for these licences last year, also to support local business. She noted that the policy under consideration included a charge of £100.00 per pavement licence and highlighted that this was less than the actual cost of processing and issuing a licence.

The Chairman noted that the policy had been successful throughout the majority of the District and Councillor Saul added that the policy had been hugely successful in Chipping Norton.

Following questions from Councillor Fenton and Good, the officer clarified that the charge of £100.00 per licence was a flat fee and was capped at this amount by the legislation. Councillors felt that it was now reasonable to begin charging for the licenses and that the fee was appropriate.

Having considered the report and the draft policy attached at Annex A, the Committee

Miscellaneous Licensing Sub-Committee

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RESOLVED

- a) that the draft Pavement Licensing Policy is approved; *and*
- b) the fee charged for 2021/22 is approved.

The Chairman announced that the Service Leader (Licensing and Business Support) was leaving the Council in November 2021. The Chairman thanked her for her tremendous work and wished her well for the future.

The Meeting closed at 2.08 pm

CHAIRMAN