

LICENSING COMMITTEE

1.00 P.M.

27TH JUNE 2024

PRESENT:- Councillors Sally Maddocks (Chair), Gerry Blaikie, Martin Bottoms, Phil Bradley, Tim Hamilton-Cox, John Hanson and Paul Tynan

Apologies for Absence

Councillors Margaret Pattison (Vice-Chair) and Andrew Gardiner

Officers in attendance:

Jennifer Curtis	Licensing Manager
Daniel Spencer	Lawyer
Sarah Jones	Licensing Officer
Sarah Moorghen	Democratic Support Officer

13 MINUTES

The minutes of the meeting held on 6th June 2024 were signed by the Chair as a correct record.

14 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIR

There were no items of urgent business.

15 DECLARATIONS OF INTEREST

There were no declarations of interest.

With the agreement of the Committee the Chair amended the order of the agenda. Item 7 – Chairs of Licensing Sub-Committees, and Item 8 – Taxi and Private Hire Working Group – Appointments were dealt with first, then Item 6 – Pavement Licence Policy (Business and Planning Act 2020) with Item 5 - Private Hire and Hackney Carriage Licensing Policy – Review and Updates considered last.

16 CHAIRS OF LICENSING SUB-COMMITTEES

The Chair called for nominations for a Sub-Committee Chair in addition to the Chair and Vice-Chair of the Licensing Committee and Councillor Martin Bottoms who was appointed at the previous meeting.

Councillor Gerry Blaikie was nominated as a Sub-Committee Chair. There being no further nominations, the Chair declared that Councillor Gerry Blaikie be appointed as a Licensing Sub-Committee Chair.

Resolved:

That Councillor Gerry Blaikie be appointed as a Sub-Committee Chair.

17 TAXI AND PRIVATE HIRE WORKING GROUP - APPOINTMENT

The Licensing Manager presented a report which sought to make further appointment to the Taxi and Private Hire Working Group and directed members to consider amendments to the name of the group.

It was reported that following the meeting on the 6th June 2024 the Licensing Manager had circulated an email inviting expressions of interest from members of the local trade interested in attending future meetings. 3 responses had been received and it was agreed that the Licensing Manager and the Chair would consider these outside of the meeting.

The Chair called for nomination to the Taxi and Private Hire Working Group. It was agreed that Councillors Tim Hamilton-Cox and John Hanson be appointed as Members of the Working Group.

It was then proposed by Councillor Tim Hamilton-Cox and seconded by Councillor Martin Bottoms that the Lancaster and District Parking Supervisor be invited to attend the Group. Upon being put to the vote this was agreed unanimously.

With regard to the name of the Group the Committee discussed the options available. It was proposed by Councillor Gerry Blaike and seconded by Councillor Martin Bottoms that the name of the Group be amended to be the "Taxi and Private Hire Liaison Group". Upon being put to the vote this was agreed unanimously.

Resolved:

- (1) That Councillors Tim Hamilton-Cox and John Hanson be appointed to the Taxi and Private Hire Working Group.
- (2) That the Lancaster and District Parking Supervisor be invited to the Group.
- (3) That the name of the Group be amended to be the "Taxi and Private Hire Liaison Group".

18 PAVEMENT LICENCE POLICY (BUSINESS AND PLANNING ACT 2020)

The Licensing Manager presented a report on the Pavement Licence Policy and advised the Committee that The Levelling Up and Regeneration Act 2023 had made the provisions of the Business and Planning Act 2020 permanent with effect from 31 March 2024. This included pavement licensing, and as a result there was a need for the Licensing Committee to update the current pavement licence policy and set fees for new and renewal applications.

It was reported that the majority of existing Pavement Licences would expire in September 2024.

The Department for Levelling up, Housing and Communities guidance along with an updated Pavement Licence Policy was appended to the report for consideration by the Committee.

The Committee was advised that legislation allowed fees to be set locally, and it was for the Licensing Authority to determine the appropriate charge. Fees were capped at a maximum of £500 for first time applications and £350 for renewals. It was noted that the temporary arrangement pavement licence fee was capped at £100.00, but that this did not cover the true cost of administering and processing the application and then monitoring compliance.

The Licensing Manager advised the Committee that a cost-setting exercise had been undertaken for new and renewal pavement licence applications for 2024/25 and recommended that the fees should be set at a level which would work to achieve full cost recovery.

The recommended fee was £500 for a 2-year new application, and £350 for a 2-year renewal application.

Members discussed the setting of fees and whether it was possible to band the fees to allow for lower charges for smaller business.

It was proposed by Councillor Martin Bottoms and seconded by Councillor John Hanson:

“That the recommended fees (£500 for new applications and £350 for renewal applications) be accepted”.

Upon being put to the vote 4 members voted in favour, with 3 against whereupon the Chair declared the proposal carried.

Resolved:

That the recommended fees (£500 for new applications and £350 for renewal applications) be accepted.

19 PRIVATE HIRE AND HACKNEY CARRIAGE LICENSING POLICY - REVIEW AND UPDATES

The Licensing Manager introduced a report on the Private Hire and Hackney Carriage Licensing Policy which was due for review.

The Committee was advised that the current Private Hire and Hackney Carriage Licensing Policy had been introduced on the 1st April 2022. Since its implementation the policy had been used as the basis for all decision-making in respect of private hire and hackney carriage licensing matters.

Since the policy had now been in place 2 years it was necessary to update and review its contents.

The Committee was advised that since its implementation there had been a number of updates to statutory guidance and changes to application procedures, processes, and standards. In light of this it was necessary to review the content of the policy, including re-wording of some sections.

A copy of the Private Hire and Hackney Carriage Licensing Policy along with a log of the suggested changes was appended to the report of the Committee's consideration.

Committee members considered the need to review the Policy and discussed how best to involve the local trade in the process. The Chair concluded that it was necessary to prioritise parts of the Policy which had not been visited before and not revisit areas which had already been debated. It was agreed that the review should concentrate on the following areas:

- Our Public Sector equalities duties.
- Joint Working.
- Safeguarding.
- Anomalies in our current Licensing Policy.
- Emissions and Electric Cars.
- Driver safety.

It was proposed by Councillor Sally Maddock and seconded by Councillor Tim Hamilton-Cox;

“(1) That the Private Hire and Hackney Carriage Licensing Policy Review be the subject of the next Taxi and Private Hire Liaison Group.

(2) That all members of the Licensing Committee be invited as well as members of Lancaster and Morecambe BIDs.

(3) That the Group outline a consultation to trade and public”

A vote was taken and it was unanimously agreed.

Resolved:

(1) That the Private Hire and Hackney Carriage Licensing Policy Review be the subject of the next Taxi and Private Hire Liaison Group.

(2) That all members of the Licensing Committee be invited as well as members of Lancaster and Morecambe BIDs.

(3) That the Group outline a consultation to trade and public.

Chair

(The meeting ended at 2.20 p.m.)

**Any queries regarding these Minutes, please contact
Sarah Moorghen, Democratic Support - email smoorghen@lancaster.gov.uk**