

**Monday, 20 March 2017  
at Town Hall, Eastbourne  
(To commence at the conclusion of the  
Licensing Act Committee to be held at  
6.00pm)**

## General Licensing Committee

Members of the public are welcome to attend and listen to the discussion of items in the "open" part of the meeting. Please see notes at end of agenda concerning public rights to speak and ask questions.



The Committee meets in the Court Room of the Town Hall which is located on the ground floor. Entrance is via the main door or access ramp at the front of the Town Hall. Parking bays for blue badge holders are available in front of the Town Hall and in the car park at the rear of the Town Hall.



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**MEMBERS:** Councillor Dow (Chairman); Councillor Rodohan (Deputy-Chairman); Councillors Belsey, Choudhury, Coles, Freebody, Holt, Murdoch, Murray, Robinson, Smart and Swansborough

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## Agenda

- 1 Minutes of the meeting held on 9 January 2017.** (Pages 1 - 4)
- 2 Apologies for absence.**
- 3 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.**
- 4 Questions by members of the public.**

On matters not already included on the agenda and for which prior written notice has been given (total time allowed 15 minutes).

## **5 Urgent items of business.**

The Chairman to notify the Committee of any items of urgent business to be added to the agenda.

## **6 Right to address the meeting/order of business.**

The Chairman to report any requests received to address the Committee from a member of the public or from a Councillor in respect of an item listed below and to invite the Committee to consider taking such items at the commencement of the meeting.

## **7 Resourcing of the Licensing Function. (Pages 5 - 8)**

Report of the Head of Customer First.

**Inspection of Background Papers** – Please see contact details listed in each report.

**Councillor Right of Address** - Councillors wishing to address the meeting who are not members of the Committee must notify the Chairman in advance.

**Public Right of Address** – Requests by members of the public to speak on a matter which is listed in this agenda must be **received** in writing by no later than 12 Noon, 2 working days before the meeting e.g. if the meeting is on a Tuesday, received by 12 Noon on the preceding Friday). The request should be made to Local Democracy at the address listed below. The request may be made by letter, fax or e-mail. For further details on the rules about speaking at meetings please contact Local Democracy.

**Disclosure of interests** - Members should declare their interest in a matter at the beginning of the meeting, and again, at the point at which that agenda item is introduced.

Members must declare the existence and nature of any interest.

In the case of a DPI, if the interest is not registered (nor the subject of a pending notification) details of the nature of the interest must be reported to the meeting by the member and subsequently notified in writing to the Monitoring Officer within 28 days.

If a member has a DPI or other prejudicial interest he/she must leave the room when the matter is being considered (unless he/she has obtained a dispensation). If a member has a DPI he/she may not make representations first.

## **Further Information**

Councillor contact details, committee membership lists and other related information is also available from Local Democracy.

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Monday, 9 January 2017  
at 6.00 pm



## General Licensing Committee

**Members:** Councillor Dow (Chairman) and Councillors Belsey, Coles, Freebody, Holt, Murdoch, Murray, Robinson and Swansborough

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### **7 Minutes of the meeting held on 5 October 2015.**

The minutes of the meeting held on 5 October 2015 were submitted and approved and the Chairman was authorised to sign them as a correct record.

### **8 Apologies for absence.**

Apologies for absence were reported from Councillor Rodohan and Smart.

### **9 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.**

None were declared.

### **10 Urgent items of business.**

A request to add an urgent item of business to the agenda relating to the reintroduction of a taxi forum was proposed by Councillor Belsey and seconded by Councillor Freebody.

The proposal was approved unanimously by the Committee and added as an item to the agenda.

### **11 Adoption of Standard Licence Conditions for Riding Establishments.**

The Committee considered the report of the Senior Specialist Advisor regarding the adoption of standard licence conditions for Riding Establishments.

The Council has the power to adopt its own set of standard conditions to be attached to any licences issued to proprietors of Riding Establishments and to inspect these establishments at all reasonable times in order to ensure that their premises are and remained suitable. Any licences are issued for a maximum period of one year. The proposed set of conditions were attached at appendix 1 to the report.

The Council had received its first Riding Establishment licence for a number of years in September 2016. The licence was granted following inspection

and issued with statutory conditions required by the Riding Establishment Act 1964 and those recommended by the veterinary surgeon.

The Committee agreed that a standard set of conditions would ensure a consistent approach to the licensing of such premises; improve public safety and welfare of the animals.

**RESOLVED: (Unanimous)** That the standard set of licence conditions be adopted.

## **12 Hackney Carriage and Private Hire Penalty Points Scheme.**

The Committee considered the report of the Senior Specialist Advisor regarding consideration of introducing a Penalty Points Scheme.

It was proposed to implement a penalty points scheme to improve the levels of compliance within the trade and subsequently improve the standards, safety and protection of the travelling public. The proposed penalty points scheme was attached at appendix 1 to the report. It was designed to record misdemeanours and act as a record of a driver's behaviour and conduct so as to ascertain whether they remain fit and proper to hold the relevant licence.

If approved the scheme would be subject to a three month consultation period and would be open to the trade and members of the public. It was suggested that the scheme be directed to the Disability Involvement Group as part of the consultation.

Peter Smith, Taxi Driver addressed the Committee in general support of the scheme however suggested some amendments. He stated that a breach of item 18 and invalidating your insurance should result in 12 points being awarded, matching item 9. He also requested that items 6, 22, 23, 24, 31, 41 be amended to award points to the driver in addition to the vehicle owner or operator. It was proposed by Councillor Murray and seconded by Councillor Swansborough to endorse the scheme subject to the amendments suggested by Mr Smith. This was approved unanimously by the Committee.

The Committee discussed several points in the scheme that could be perceived as subjective. The Senior Specialist Advisor clarified that there was an appeal process to any points awarded.

The Committee also requested that a report be brought back to a future meeting following the consultation process.

**RESOLVED: (Unanimous)(1)** That the Committee endorse the scheme, outlined in the report, subject to the amendments requested by Mr Smith.

**(2)** That the consultation process be approved and report brought back to Committee following its conclusion to make a final determination on the scheme's implementation.

**13 Hackney Carriage and Private Hire Licensing Fee and Charges 2017-2019.**

The Committee considered the report of the Manager for Performance and Specialist Advisory and Senior Specialist Advisor regarding the proposed hackney carriage and private hire licence fees, detailed in the report.

A copy of the current fees and charges was attached to the report at Appendix 1. There was no increase in fees proposed and this was detailed in the report. Figure 2 of the report forecasted a net surplus of £36,834 by the end of 2019/2020. The Licensing team intended to use the surplus made in 2014-2017 to carry out initiatives such as implementing the proposed penalty points scheme, undertaking an enhanced enforcement role, additional training and resourcing an additional Specialist Advisor on Licensing and Enforcement. It was proposed by Councillor Dow and seconded by Councillor Belsey that officers investigate the possibility of using the surplus to recruit an administrator to support the Licensing function. Officers agreed to investigate and report back to the Committee.

**RESOLVED: (Unanimous) (1)** That the publication of the proposed hackney carriage and private hire licence fees detailed in the report in accordance with statutory requirements be approved.

**(2)** That the fees outlined come into effect from 1 April 2017.

**(3)** That officers investigate the possibility of using part of the surplus to fund an administrative post in support of the licensing function.

**14 Taxi Livery Policy.**

The Committee received a verbal report from the Senior Specialist Advisor regarding the Council's Taxi Livery Policy.

The Senior Specialist Advisor reported that a member of the trade who operated larger vehicles had requested the ability to use a larger sign than was currently permitted under the Livery Policy.

The Committee unanimously agreed not to undertake a review of the Livery Policy and instead delegated responsibility to the Senior Specialist Advisor and the Chair of Licensing Committee to resolve this individual case.

**RESOLVED: (Unanimous)** That power be delegated to the Senior Specialist Advisor in consultation with the Chair of Licensing Committee to resolve the individual case discussed.

**15 Taxi Forum.**

The Committee discussed Councillor Belsey's proposal of reintroducing the taxi forum. The taxi forum offered an opportunity for members of the trade to meet with Council officers and discuss any issues that had arisen.

It was proposed by Councillor Belsey and seconded by Councillor Freebody to reintroduce the taxi forum and initially trial meetings twice a year. The Committee were unanimously in support of the proposal.

**RESOLVED (Unanimous):** That the taxi forum be introduced and initially take place twice a year.

**16 Date of future meeting.**

The Chairman proposed that the next meeting of the Licensing Committee be moved to the 20 March 2017. This was agreed unanimously by the Committee.

**RESOLVED: (Unanimous)** That the date of the next Licensing Committee be moved from 13 March 2017 to 20 March 2017.

The meeting closed at 7.12 pm

**Councillor Dow (Chairman)**



**BODY:** General Licensing Committee

**DATE:** 20<sup>th</sup> March 2017

**SUBJECT:** Resourcing of the Licensing Function

**REPORT OF:** Melanie Thompson, Head of Customer First

**Ward(s):** All

**Purpose:** To advise Members of the costs of additional administrative support for the licensing function

**Recommendations:** Members are recommended to;

Approve that no additional recruitment is made at this time and await the design of the joint service delivery teams due for completion December 2017

**Contact** Melanie Thompson, Head of Customer First, Telephone 01323 415227 or internally on extension 5227  
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## 1.0 Introduction

- 1.1 At the General Licensing Committee held on 9 January 2017, Members resolved that; the possibility of funding an administrative post in support of the licensing function using part of the surplus fees and charges fund, be investigated.

## 2.0 Background

- 2.1 In order to ensure that council tax payers are not subsidising the work involved in the administration of licensing functions, income is raised through licence fees. These fees must not be used to raise revenue but instead are set at a level which aims to cover the cost of administering the function within the constraints of regulation.
- 2.2 The forecast for income & expenditure over the next 3 year period is:

	2017/2018 FORECAST (£)	2018/2019 FORECAST (£)	2019/2020 FORECAST (£)
Total Expenditure	145,673	149,173	153,673
Total Income	143,875	143,875	143,875
Net expenditure	1,798	5,298	9,798
Balance c/f	(53,729)	(51,930)	(46,632)
(Surplus) / Deficit	(51,930)	(46,632)	<b>(36,834)</b>

Members noted at the last committee meeting that although forecasting a net surplus of £36,834 by the end of 2019/2020, the Licensing team intends to make legitimate use of the surplus made in 2014-17 by carrying out the following

initiatives:

- Implement a penalty point scheme
- Undertake an enhanced enforcement role
- Additional Training – i.e. Child Sexual Exploitation/Safeguarding
- Continue to resource an additional Specialist Advisor on licensing and enforcement.

As the proposed measures above are not accounted for, the forecast surplus of £36,834 is likely to be lower by the end of that period. However, the net outcome is not expected to go into deficit.

### 3.0 Additional Caseworker Costs

- 3.1 The cost of employing an additional member of the casework team for 2017/18, grade band C (SCP 17 to 20) would be:

Appointment at SCP 17	£17,809
Oncosts	<u>4,925</u>
Total	£22,734

- 3.2 The revised forecast for income & expenditure over the next 3 year period would be:

	2017/2018 FORECAST (£)	2018/2019 FORECAST (£)	2019/2020 FORECAST (£)
Expenditure	145,673	149,173	153,673
Caseworker	22,734	23,277	23,845
<b>Total Expenditure</b>	<b>168,407</b>	<b>172,450</b>	<b>177,518</b>
Total Income	143,875	143,875	143,875
Net expenditure	24,532	28,575	33,643
Balance c/f	(53,729)	(29,197)	(622)
<b>(Surplus)/ Deficit</b>	<b>(29,197)</b>	<b>(622)</b>	<b>33,021</b>

These figures do not take into account the four initiatives above in 2.2 and therefore the deficit forecast in 2019/2020 would be higher.

- 3.3 Members agreed the fees & charges for the period 2017/2020 at the committee meeting on 9 January 2017. Therefore to provide an additional caseworker, the fees and charges would need to increase from 2020 to cover the deficit of £33,021 that would occur in the budget plus the ongoing cost of the caseworker of £24,699 a total of £58,000.

The fees would need to increase significantly to achieve the £58,000 and this would not include an increase in other recharges and expenditure.

An approximate guide of the required fee increase from April 2020 would be a vehicle licence increase of £83 per year (55% increase) and a driver licence increase (currently renewed every 3 years) of £249 (79% increase).

## **4.0 Alternative Resourcing – JTP Phase 2**

- 4.1 From April 2017, work will commence on designing the joint service delivery teams. This will be an opportunity to fully review the staffing levels in Specialists and Casework that support the Licensing function across Eastbourne and Lewes. The joint teams will deliver a more resilient service with more staff suitably qualified and trained to cover during periods of peaks in service, leave, sickness and to coach and mentor staff moving into new roles.
- 4.2 Through the JTP with Lewes, there will be staff at risk of redundancy that would be eligible to apply for a caseworker role. The timescale for this recruitment is completion by December 2017.

## **5.0 Legal Considerations**

- 5.1 None

## **6.0 Summary**

- 6.1 The cost of administering the taxi licensing function is met by licence fee income. The objective is to set fees and charges at fair and proportionate levels, so that the income received does not exceed the cost of the function.
- 6.2 Vehicle licence fees would need to increase by £83 per year and driver licence fees by £249 (3 yearly) to cover the cost of an additional caseworker to support licensing.
- 6.3 Alternative resourcing through the JTP will bring additional support and resilience to the licensing function across Specialists and Casework.

## **7.0 Recommendations**

- 7.1 Members are asked to consider;

The detail in this report regarding the increase in fees and the detail regarding the new joint service delivery teams

And to approve that; no additional recruitment is made at this time as the design of the joint service delivery teams will commence in April 2017.

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