

LICENSING COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 11 OCTOBER 2023

Present: Cllrs Emma Parker (Chairman), Jon Andrews (Vice-Chairman), Les Fry, Brian Heatley and Andrew Starr

Apologies: Cllrs Susan Cocking, Kate Wheller and Sarah Williams

Officers present (for all or part of the meeting):

Aileen Powell (Licencing Team Leader), Elaine Tibble (Senior Democratic Services Officer), Graham Duggan (Head of Community & Public Protection), John Newcombe (Service Manager for Licensing & Community Safety), Lara Atree (Senior Lawyer - Regulatory) and Matthew Turnbull (Democratic and Electoral Services Apprentice)

15. Minutes

The minutes of the meetings held on 24 May and 29 June 2023 were confirmed and signed.

16. Declarations of Interest

No declarations of disclosable pecuniary interests were made at the meeting.

17. Public Participation

There was one question from the public.

The Service Manager, Licensing and Community Safety gave a verbal response to the question, outlining the procedures and safety measures in place. He confirmed that he would put together a written response to the question.

The question and written response is attached as an appendix to these minutes.

18. Councillor Questions

There were no questions from Councillors

19. Statement of Gambling Licensing Policy 2024-2027

The Service Manager for Licensing and Community Safety presented the report. The Council, as Licensing Authority under the Gambling Act 2005, was required to publish a Statement of Gambling Licensing Policy at least every three years. The draft revised policy had been prepared by officers for public consultation. In order

for the policy to be presented to Full Council in December the consultation period did not meet the 12 week best practice guidance but it did meet the statutory requirements. The report featured track changes so the minor changes suggested could be easily identified.

Following questions from the committee members it was:

Proposed by Cllr Andrews, seconded by Cllr Fry

Decision:

- 1) that the draft Gambling Licensing Policy 2024-2027 be published for a period of public consultation.**
- 2) that, subject to their being no relevant representations that the Service Manager for Licensing & Community Safety, in consultation with the Chairman of the Licensing Committee recommended to the Council adoption of the Draft Gambling Licensing Policy.**
- 3) that should relevant representations be received, which require consideration of one or more significant amendments to the policy, instruct officers to bring a further report to the meeting of the Licensing Committee with the outcomes of the consultation.**

20. Licensing Act 2003 Policy - review of Cumulative Impact Area

The Service Manager for Licensing and Community Safety presented the report. He explained that although the Council, as Licensing Authority under the Licensing Act 2003, was required to publish a Licensing Policy at least every five years. The Statutory Guidance issued under section 182 of the Licensing Act 2003 advised, however, that any Cumulative Impact Area(s) should be reviewed every three years. The Dorset Licensing Policy contained one Cumulative Impact Area (CIA) in Weymouth Town Centre.

Under the CIA there was a rebuttable assumption that new operators should be refused a licence.

Having had a preliminary meeting with Dorset Police, the evidence base for the Weymouth CIA had been reviewed and it was proposed to undertake a public consultation regarding the retention of the CIA, with the results of the consultation being considered by the Licensing Committee and a recommendation made to Full Council.

The Service Manager for Licensing and Community Safety advised that following an improvement in the number of incidents he was keen to encourage and help responsible operators to thrive and proposed a thorough review over next couple of years.

Proposed by Cllr Heatley, seconded by Cllr Fry.

Decision: that a public consultation exercise be undertaken on the retention of the Cumulative Impact Area with the results of the consultation being considered by the Licensing Committee and a recommendation made to Full Council

21. **Amendments to the Taxi Licensing Policy**

The Service Manager for Licensing and Community Safety presented the report.

The Taxi Licensing Policy was fairly new and following a Taxi Trade forum in May, there had been recommendations from that meeting. The next three reports on the agenda were all for proposed amendments to the Taxi Licensing Policy, which if agreed by the Licensing Committee would go out to a 12 week consultation.

Proposed by Cllr Andrews, seconded by Cllr Fry.

Decision: that a 12 week consultation be undertaken on the following amendments.

- 1) **that a paragraph 2.51 be inserted under a heading “Meters” to read - All Hackney Carriages will be expected to have a functioning meter set to the Dorset Council Tariff (or a lesser Tariff). If the meter is not a mechanical meter, then that alternative system will need to be approved by a Licensing Officer and procedures must be in place to prevent any tampering to tariffs by either drivers or operators that could set the fare displayed to be higher than the Dorset Council Tariff.**
- 2) **That paragraphs 2.43, 3.37, 3.47 and 3.56 be amended to include suspensions and refusals to reflect changes to the law.**
- 3) **That paragraph 3.27 is amended to read; - Driver’s licences issued for a Combined Driver Licence that will incorporate licences to drive both types of vehicles, a Private Hire Driver Licence or a Hackney Carriage Driver Licence. Licences will be granted for a period of three years. Dorset Council may grant licences for a lesser period if necessary.**
- 4) **That the following wording be added to paragraph 3.27; - Should a driver need to change the type of licence he has, and they have undertaken the relevant knowledge and suitability test, the type of licence can be swapped at any time for the cost of a replacement badge and will be subject to the same dates for renewal etc as the original licence.**

That paragraph 3.32 be amended to read;- Any application where more than one relevant offence is revealed will be referred to a Sub-Committee for a decision.

22. **Taxi Licensing Policy - Plate Exemptions**

The Service Manager for Licensing and Community Safety presented the report. Referring back to the Taxi Forum on 24 May 2023 when several of those present requested that the Plate Exemption Policy be reviewed.

Licensing Officers understood that there were justifiable times not to display plates and had looked at policies from predecessor councils and felt that the old North Dorset District Policy was the best to deal with this matter and was recommended for public consultation.

Cllr Andrews requested a small amendment to the classification of saloon cars as some SUV models could be classed as luxury cars.

The Service Manager for Licensing and Community Safety agreed that a template for business proposals would be useful, that other military sites ie. Bovington, Lulworth in Dorset should be included in the proposal.

Proposed by Cllr Fry, seconded by Cllr Starr

Decision: That the Taxi Licensing Policy be updated prior to public consultation, in order to give more detailed guidance for applicants and decision makers in relation to plate exemptions.

23. **Taxi Licensing Policy - Restricted Licences for School Transport**

The Service Manager for Licensing and Community Safety presented the report which followed a request from one of the largest school transport providers to consider the issuing of Restricted Licences for private hire drivers who solely do school runs in licensed private hire vehicles, no other private hire.

There were no safety issues, just an easier licencing regime to see if any assistance could be given to school operators who only work in that environment.

Proposed by Cllr Fry, seconded by Cllr Andrews

Decision: That a scheme to allow a school contract provider to badge drivers under a Restricted Licence where they solely undertake school contract work go out to public consultation.

24. **Weymouth and Portland Zone Hackney Carriage Fares**

The Service Manager for Licensing and Community Safety presented a report to consider a rise to the maximum level of fares for the financial year 2024/25 for the Hackney Carriage Proprietors in Weymouth and Portland.

The Taxi Trade had requested more regular increases but smaller amounts. There had been increases in fuel prices, tyres, maintenance etc so the Service Manager for Licensing and Community Safety suggested it made sense to keep fares under review. The recommendation was for a 14 day public consultation including newspaper advertising. Any representations received, would be brought back to the Licensing Committee for consideration before any new tariff came into effect. If no representations were received, or the only representations received were in favour of the increase the new tariff, if agreed by the Licensing Committee and the Portfolio Holder for Culture and Communities, the revised tariff would come into effect on 1 April 2024.

Proposed by Cllr Fry, seconded by Cllr Andrews

Decision:

- 1) That the proposed 2024/25 maximum tariff for the Weymouth and Portland Hackney Carriage Zone as set out at Appendix 3 be considered
- 2) That a consultation with all of the Weymouth and Portland Hackney Carriage proprietors be authorised.
- 3) That the public consultation of the new tariffs, included advertising in a local newspaper.
- 4) That the new tariff would come into effect on 1 April 2024 if no objections were received within the specified time limit in the consultations.

25. **Urgent items**

There were no urgent items

26. **Exempt Business**

There was no exempt business

Appendix

Duration of meeting: 10.00 - 10.52 am

Chairman

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