

5 JANUARY 2024

NEW FOREST DISTRICT COUNCIL

GENERAL PURPOSES AND LICENSING COMMITTEE

Minutes of a meeting of the General Purposes and Licensing Committee held on Friday, 5 January 2024

* Cllr Neil Tungate (Chairman)
Cllr Richard Young (Vice-Chairman)

Councillors:

* Steve Clarke
* Jack Davies
* Philip Dowd
* Allan Glass
David Harrison
* David Hawkins

Councillors:

* Nigel Linford
* Colm McCarthy
Neil Millington
* Dave Penny
Alvin Reid

*Present

Officers Attending:

Peter Donelan, Christa Ferguson, Joanne McClay and Joe Tyler

Apologies

Apologies were received from Cllrs Harrison, Millington, Reid and Young.

9 MINUTES

RESOLVED:

That the minutes of the meeting held on 3 November 2023 be signed by the Chairman as a correct record.

10 DECLARATIONS OF INTEREST

Cllr J Davies declared a non-pecuniary interest as an employee of a taxi operating firm. He concluded that there were no grounds under common law to prevent him from remaining in the meeting however he did abstain from voting on item 5 of the agenda.

11 PUBLIC PARTICIPATION

There was no public participation.

12 FEES AND CHARGES FOR 2024-2025 - LICENSING SERVICE

The Committee received a report on the fees and charges for 2024-2025 licensing service. The Service Manager for Environmental and Regulation, and the Licensing Manager presented the report to the Committee and provided an overview of the main features. These were as follows:

- Any fees that are non-statutory can be set by the Council at its discretion.
- Taxi licensing, animal welfare licensing, caravan site licensing and skin piercing licensing are all examples of the licences that can be set at the Council's own discretion.
- This review takes place annually and reflects the costs that are involved with delivering the licensing service.
- The Council cannot make any profit via these fees and charges and so the key principle in setting the fees and charges is to fully recover any costs incurred by running the service.
- The review involves a benchmarking comparison with other local authorities to ensure a level of comparability among other, neighbouring authorities.
- All of the proposed fees and charges are subject to approval by the Committee except for the taxi licensing fees and charges which require a public consultation.

After the presentation, members were able to ask questions and make comments on the report. These were as follows:

- A query was raised on some of the increased fees and charges. The Committee were informed that some of the fees and charges related to newer legislation (such as that for animal welfare) and the fees and charges were set based on costs estimated to deliver these functions. All fees and charges were benchmarked against other local authorities and in the case of gambling licences, were below the national cap.
- Some licence types, such as tracks or bingo halls, would unlikely apply for licences within the District and at present there are no such licences at all within the New Forest.
- Following a question on stable licences, the Licensing Manager explained that licences were required for riding schools but not for livery stables.
- It was also confirmed that this was the annual review all licensing fees and a formal consultation is only required for taxi licensing fees.

RESOLVED

- 1.1 That the taxi licensing fees within Appendix 1 be approved for public consultation.
- 1.2 That it be a recommendation that the Council:
 - i. Approves the proposed fees (with the exception of taxi licence fees) for financial year 2024/25 as set out in Appendix 1;
 - ii. Approves the taxi licensing fees as proposed within Appendix 1 if no objections are raised during the public consultation period;
 - iii. Delegates authority to General Purposes and Licensing Committee to make the decision as to the level of taxi licensing fees for 2024/25 should objections to the proposed fees be raised during the public consultation period.

13 REVIEW OF THE TAXI LICENSING POLICY

The Committee received a report on Taxi Licensing Policy review. The Service Manager for Environmental and Regulation, and the Licensing Manager presented the report to the Committee and provided an overview of the main features. These were as follows:

- The review of the taxi licensing policy was comprehensive and had been conducted over the course of several years.
- The review introduces new, statutory guidance as well as administrative changes to the licensing policy.
- Although taxi licensing legislation dates from 1847 and 1976, this review incorporates the revised statutory guidance together with an overall modernisation of the policy.
- The policy relates to driver, vehicles and operators.
- A fundamental amendment in the draft policy includes an age limit on taxi and private hire vehicles to improve emissions, safety and overall aesthetic and provision for passengers.
- A further proposal will require all NFDC licensed private hire vehicles to display door stickers on passenger doors. This proposal would enable passengers and officers to identify our pre-booked private hire vehicles more easily.
- Furthermore, a change to the mid-term inspection requirements is proposed which reduces the required age that vehicles require such inspections. This will improve the quality and efficiency of the fleet.
- Enhanced DBS checks will be increased to more frequent periodical checks to ensure that the service is aware of any and all recent convictions held by licensed drivers.
- The draft policy consultation will go out for 3 months and will be open to all members of the public including agencies and operators, vehicle proprietors, drivers, passengers and other organisations. Responses from the consultation will be collated by the service and be considered by members before determination and adoption in the final policy.
- The policy will be revisited again in 4 years' time, however given the modernisation of the policy, updates, to reflect further changes to statutory guidance for example, will be easier to update than previously.
- Access to the National Anti-Fraud Network (NAFN) NR3S database is already in use and details of drivers that have been refused a licence or had a driver licence revoked or suspended are held on the National Register of Refusals and Revocations.
- The Chairman of the Committee reminded members that the proposed draft policy in front of them was to go out to consultation and therefore any suggestions or comments that any member has, or any other interested party for that matter, should be submitted via the consultation.

After the presentation, members of the Committee asked questions and made comments. These were as follows:

- One member of the Committee asked about space for passengers in taxis. It was explained that the Council's own garage mechanics had contributed to the draft policy but comments on such matters would be welcomed as feedback in the consultation.
- One member requested that the ability for door locks to be released when vehicles were stationary was added to the policy for safeguarding reasons.

Officers were receptive to this suggestion and referenced the Code of Conduct that all drivers must adhere to.

- It was repeated that the consultation would be made public via the Council's website and that all licence holders, particularly operators, would be contacted directly with the details of the consultation.

RESOLVED

That the draft Taxi Licensing Policy within Appendix 1 be approved for public consultation from 15 January to 15 March 2024.

CHAIRMAN