

To: All Members of the LICENSING AND
REGULATORY COMMITTEE
(Other Members for Information)

When calling please ask for:

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Calls may be recorded for training or monitoring

Date: 3 January 2020

Membership of the Licensing and Regulatory Committee

Cllr Robert Knowles (Chairman)
Cllr Peter Clark (Vice Chairman)
Cllr Roger Blishen
Cllr Martin D'Arcy
Cllr Jerome Davidson
Cllr Patricia Ellis

Cllr Michael Goodridge
Cllr Anna James
Cllr Jacquie Keen
Cllr Michaela Martin
Cllr Ruth Reed
Cllr Vacancy

Substitutes

Cllr Peter Isherwood
Cllr Jenny Else

Cllr Joan Heagin
Cllr Jerry Hyman

Dear Councillors

A meeting of the LICENSING AND REGULATORY COMMITTEE will be held as follows:

DATE: MONDAY, 13 JANUARY 2020

TIME: 10.00 AM

PLACE: COUNCIL CHAMBER, COUNCIL OFFICES, THE BURYS,
GODALMING

The Agenda for the meeting is set out below.

Yours sincerely

ROBIN TAYLOR
Head of Policy and Governance

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This meeting will be webcast from the conclusion of Informal Question Time and can be viewed by visiting www.waverley.gov.uk

NOTE FOR MEMBERS

Members are reminded that contact officers are shown at the end of each report and members are welcome to raise questions etc in advance of the meeting with the appropriate officer.

AGENDA

1. **MINUTES** (Pages 7 - 8)

To receive the minutes of the meeting held on 11 November 2019 (to be laid on the table half an hour before the meeting).

2. **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

To receive apologies for absence and to report any substitutions

3. **DECLARATIONS OF INTEREST**

To receive from members declarations of interest in relation to any items included on the agenda for this meeting, in accordance with the Waverley Code of Local Government Conduct.

4. **QUESTIONS FROM MEMBERS OF THE PUBLIC**

The Chairman to respond to any questions received from members of the public in accordance with Procedure Rule 10.

The deadline for submission of written questions for this meeting is Monday 6th January 2020.

5. **QUESTIONS FROM MEMBERS**

The Chairman to respond to any questions received from Members in accordance with Procedure Rule 11.

The deadline for submission of written questions for this meeting is Monday 6th January 2020.

6. **NOMINATION OF REPLACEMENT REPRESENTATIVE ON LICENCING (GP) SUB COMMITTEE**

Chairman to ask for a nomination to replace Cllr Lee on the Licencing (GP) Sub Committee.

7. **ACTION AUTHORISED**

To receive any action taken by the Executive Director after consultation with the Chairman and Vice-Chairman since the last meeting.

LICENSING ACT 2003 ITEMS

8. MINUTES OF THE LICENSING (GP) SUB COMMITTEE (Pages 9 - 10)

To agree the minutes of the licensing (GP) sub-committee held on 14th October 2019.

OTHER LICENSING ITEMS

9. JOINT WARRANTING 2020 (Pages 11 - 18)

Purpose and Summary:

Waverley Borough Council is the licensing authority for the purposes of regulating taxi and private hire services in the Borough. This report seeks approval for making arrangements between Surrey Licensing Authorities to introduce joint warranting for Licensing Officers. This will enable improved enforcement of the taxi and private hire trade across the County and improve safety within the licensed hackney carriage and private hire vehicle service operating in Surrey.

The Committee are asked to recommend to Full Council that:

- (a) the Council delegate the Taxi and Private Hire enforcement functions under the legislation set out in Appendix A to the Surrey local licensing authorities (also set out in Appendix A), in addition to retaining those functions within the Borough and to similarly receive the delegated Taxi and Private Hire enforcement functions (as set out in Appendix A) of those local authorities; and,
- (b) the responsibility for relevant Hackney Carriage and Private Hire licensing legislation in accordance with 2.1 of the Council's Constitution which confirms an existing delegated power to the Head of Environmental & Regulatory Services at Part 1.3 of the Council's Scheme of Delegation (authorisation to enforce all relevant Hackney Carriage and Private Hire licensing legislation) be extended to include the authorisation of officers of other Surrey authorities participating in a Joint Warranting Scheme.

10. TAXI POLICY COVERING REPORT RE PROPOSED CHANGES FOR CONSULTATION 2020 (Pages 19 - 146)

Purpose and Summary:

This report proposes a number of changes to the Hackney Carriage/Private Hire Licensing Policy to reflect the recommendations from the Department for Transport on a safer system of taxi and private hire vehicle licensing and other proposed changes following review by Officers and to agree a basis for consultation with the Taxi and Private Hire trades and the public.

Recommendation

It is recommended that the Licensing and Regulatory Committee;

- considers the draft Hackney Carriage and Private Hire Licensing Policy at Annexe 1 and agrees it, with or without amendments, as a basis for consultation; and notes;
 - the Task & Finish Goup report regarding taxi and private hire

- licensing;’
 - the Government’s response to the Task & Finish Group report;
 - Officer comments on the Task & Finish Group outlined in the report, including in relation to the NAFN project, English language test, complaints and dealings in relation to access refusal, employment factors relevant to the fit and proper test;
- considers the recommendation in respect of;
 - the introduction of a reduced vehicle licence rate for Ultra Low Emission Vehicles and the inclusion of a condition requiring licensees to cooperate with appropriate Officers from other licensing areas
 - an additional requirement for all drivers to subscribe to and maintain DBS update service
 - the introduction of an appropriate Privacy Notice
 - the introduction of requirements for Private Hire Operators to;
 - hold & maintain a register of all staff that have contact with the public etc;
 - be able to evidence that a basic DBS is in place for staff listed on their register; and
 - Operators being prohibited from using PCV licensed drivers the reintroduction of a vehicle age policy
 - the introduction of requirements for door signs on Private Hire vehicles
 - the setting of a date for all licensed vehicles to be electric
 - the introduction of a refusal to licence written off vehicles
 - the introduction of a condition prohibiting the use of second hand tyres or tyres that are 10 years old or more;
 - the current Surrey conviction policy compared with the relevant IoL guidance
 - the proposal to allow exemptions to the window tinting policy subject to consultation with the Chair of the Licensing Committee.
 - the location of vehicle testing station
- considers the draft Hackney Carriage and Private Hire Licensing Policy at Annexe 1 and agrees it, with or without amendments, and makes proposals for consultation;

11. PROPOSED FARES AND TARRIFFS.

To receive a verbal update on the proposed Taxi and Private Hire fares and tarriffs.

12. FORWARD PROGRAMME

To note the following items programmed to come to forthcoming meetings.

13. EXCLUSION OF PRESS AND PUBLIC

To consider the following recommendation on the motion of the Chairman:-

Recommendation

That pursuant to Procedure Rule 20 and in accordance with Section 100B(5) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items, there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified in the appropriate paragraph(s) of the revised Part 1 of Schedule 12A to the Act (to be identified, as necessary, at the meeting).

14. LEGAL ADVICE

To consider any legal advice relating to any items in the agenda.

**For further information or assistance, please telephone
Kimberly Soane, Democratic Services Officer, on 01483 523258 or by
email at kimberly.soane@waverley.gov.uk**