

NORTHUMBERLAND COUNTY COUNCIL

LICENSING & REGULATORY COMMITTEE

At the meeting of the **Licensing & Regulatory Committee** held at Council Chamber - County Hall on Wednesday, 26 October 2022 at 1:30pm.

PRESENT

JI Hutchinson (Chair) in the Chair)

MEMBERS

T Cessford
B Gallacher
S Lee
A Sharp
A Wallace

J Foster
C Hardy
K Parry
M Swinbank

OFFICERS

H Bowers
M Bulman
T Hardy
D Wilson

Democratic Services Officer
Solicitor
Licensing Manager
Business Compliance and Public Safety
Manager

7 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Beynon, Chicken, Seymour, and P Soderquest.

8 MINUTES

The minutes of the meeting of the Licensing and Regulatory Committee held on Wednesday 15 June 2022, as circulated be confirmed as a true record and signed by the Chair with the amendment that Councillor Cessford was in attendance.

9 SUBCOMMITTEE MINUTES

RESOLVED that the Minutes of the Licensing and Regulatory Subcommittees held on 21 July and 5 October respectively, be received for information.

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10 REPORTS OF THE HEAD OF HOUSING AND PUBLIC PROTECTION

10.1 Hackney Carriage and Private Hire Licensing Policy – Fire Extinguishers and First Aid Kits

Members agreement was sought for the consultation in respect of the removal of the requirements for hackney carriage and private hire vehicles to carry fire extinguishers and first aid kits.

The current policy stipulated that standard conditions were attached to all licensed vehicles to contain fire extinguishers and first aid facilities. Although the conditions required the licence holder to ensure the equipment was within the vehicle, there had never been any requirement for them to be used or training undertaken. Northumberland was one of the only local authorities in the area to continue to stipulate those conditions.

Any changes to the policy would be subject to consultation which was proposed to commence on 1 November 2022 for 12 weeks.

(Councillor Foster joined the meeting at 1.35 pm).

Discussion took place on the implications of the removal of the equipment. Members were advised that the requirements were not compulsory and it was reiterated that any changes to the policy would be subject to the consultation.

Councillor Parry proposed the recommendation, which was seconded by Councillor Wallace.

When put to the vote, 7 members voted in favour of the proposal and 1 member voted against.

RESOLVED that the contents of the report be noted and consultation commence with the relevant bodies and stakeholders in respect of removing conditions that hackney carriage and private hire vehicles must carry fire extinguishers and first aid kits.

10.2 Hackney Carriage and Private Hire Licensing Fees

Members were provided with information in relation to hackney carriage and private hire licensing fees.

The current fees were listed on page 18 of the report. A table showing the current fees and the current cost of administering licences was circulated to the committee.

Members were informed that the Council could recover the cost of the granting of hackney carriage or private hire licences, a fee it considered reasonable with a view to recovering the cost of issue and administration of licences.

Licence fees had last been amended in 2018.

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For private hire and hackney carriage vehicles and private hire operators, the Local Government (Miscellaneous) Provisions Act required that if the Council resolved to amend fees, they shall be published in at least one local newspaper, setting out the fees proposed and specifying the period, within which objections could be made. The period of notice should be at least 28 days. If after 28 days of the notice, no objections have been received, the new fees would normally come into force the day after the close of representations. Where representations were received, the authority must make arrangements to consider the comments and make a final determination and agree a date of implementation.

It was envisaged that should the committee wish to amend the fees; this would be considered by the committee in December.

In response to comments/questions from members, the following information was given:-

There was no time scale for the review of fees, there had been no appetite to increase fees in the past, but it was now considered appropriate to review the fees.

Significant discussion took place including the cost of living; reduction of fees for the use of greener fuels; fees being brought in line with administration costs; subsidies in rural areas; increase in taxi fares; the cost of electric cars and the current increases in electric tariffs.

Some members agreed that costs should remain as they were due to the current cost of living.

In response to a question regarding the difference between the total current costs and the increase, it was advised that the difference was approximately £12,500.

Councillor Cessford proposed a motion that the fees remain the same, but be reviewed after 1 year.

As the proposal was not seconded, the motion fell.

Councillor Wallace proposed to accept the increases set out in the table regarding the current costs of administering licences, en masse. This was seconded by Councillor Hardy.

Councillor Foster asked if the proposer of the recommendation would be minded to take into account a discount for electric vehicles within the proposal.

Councillor Wallace stated that he would not amend his proposal.

Upon being put to the vote, 8 members voted in favour of the proposal and 2 member voted against.

RESOLVED that in the event that there are no objections, or representations received, members agree that:-

- the fees shall come into effect on the day following the close of the

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consultation period, details of which to be included in the public notice

and

- agree that the Director of Housing and Public Protection, shall commence the consultation process at the earliest opportunity

10.3 Street Trading Policy

Members were requested to approve consultation in respect of the Council's Street Trading Policy.

One of the main issues encountered by officers was that the current policy did not facilitate the issuing of consents for one off trading.

Members were asked to agree consultation with relevant bodies and stakeholders in respect of the Street Trading Policy, particularly in the following areas:-

- Introduction of a daily consent application process and fee.
- Current list of exemptions to the application process and fee.
- A new requirement that applicants provide a DBS certificate with applications.

The policy had last been approved in 2015 and whilst there had been no significant changes to legislation, it was considered an appropriate time to update some areas of the policy.

Any changes to the policy would be subject to consultation and it was proposed that this commenced on 31 October 2022 for 12 weeks.

Councillor Cessford moved the proposal to approve the recommendation contained within the report and this was seconded by Councillor Lee and was unanimously agreed.

RESOLVED that:-

Members agree consultation with the relevant bodies and stakeholders in respect of the Street Trading Policy with particular focus on the introduction of a daily consent application process and fee, current list of exemptions to the application process and fee and the introduction of a requirement that applicants provide a DBS certificate with applications.

11 NEXT MEETING

RESOLVED that the next meeting of the Licensing and Regulatory on Tuesday 20 December 2022, be noted.

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CHAIR.....

DATE.....

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