

NORTHUMBERLAND COUNTY COUNCIL
LICENSING AND REGULATORY COMMITTEE

At a meeting of the **Licensing and Regulatory Committee** held in
Committee Room, County Hall, Morpeth, NE61 2EF on **Wednesday 26 February**
2020 at 1:30 pm

PRESENT

Councillor J I Hutchinson
(Chair in the Chair)

COUNCILLORS

L Bowman
D Campbell
T Cessford
B Crosby
R Gibson
J Lang
K Parry

W Pattison (part)
M A Purvis
G Roughead
C Seymour
A Sharp
K Stow
T Wilson

OFFICERS IN ATTENDANCE

H Bowers	Democratic Services Officer
M Bulman	Solicitor, Regulation
T Hardy	Licensing Manager
D Sayer	Business Compliance & Public Safety Manager
P Soderquest	Head of Housing and Public Protection

ALSO IN ATTENDANCE

Press - 1
L Dixon - Democratic Services Apprentice
T Dunn - Senior Trading Standards Officer
T Richardson - Regulatory Compliance Apprentice

07. MINUTES

RESOLVED that the minutes of the meeting of the Licensing and Regulatory Committee held on Wednesday 23 October 2019, as circulated, be confirmed as a true record and signed by the Chair.

Ch.'s Initials.....

08. SUBCOMMITTEE MINUTES

RESOLVED that the minutes of the following sub-committees be received for information:

- (a) 28 November 2019
- (b) 16 January 2020

And to note the amendment to Minute number 3, Case No. 28.11 19/414 of the SubCommittee minutes of 28 January 2019.

09. REPORTS OF THE HEAD OF HOUSING AND PUBLIC PROTECTION

(1) Hackney Carriage and Private Hire Vehicle Emissions

Members were updated on the results of a consultation with the hackney carriage and private hire licensing trade in relation to the regional recommendations to reduce emissions from licensed hackney carriages and private hire vehicles by introducing controls on the ages of vehicles that can be licensed.

At the Licensing and Regulatory Committee meeting of 23 October, the Committee had agreed to a consultation to seek views of the trade within Northumberland on the proposed amendments on the Hackney Carriage and Private Hire Licensing Policy. The consultation had now ended with a large response with some significant concerns across the county.

A large proportion of the responses were against the proposal, whilst others argued that although they were not entirely against the proposal, they had requested a longer period lead in time and that the Council maintained the Euro status rather than an age policy.

As a result, it was proposed that extra work be carried out with the trade to identify a workable solution.

In addition to the concerns raised by the trade, other issues had been raised further south of the county of the influx of vehicles registered in Wolverhampton and being used in Middlesbrough.

Members then raised the following comments:-

- Consistency across the region
- The need to link in the condition of the car
- Roadworthiness of both electric and petrol/diesel cars
- Only four authorities out of twelve had completed the consultation
- A uniform policy on clean air zones
- The timeframe for completion

Ch.'s Initials.....

Licensing and Regulatory Committee, 26 February 2020

- Taxi regulations in Scotland and would this affect Berwick ?

In response to the query regarding taxi regulations Scotland this would be followed up. In respect of the timeframe, responses would be compiled with further engagement with the trade.

RESOLVED that the level of response, comments made in the representations and the regional position be noted by Members.

(2) Case Report on R v Wakefield

Members were advised of a recent Court Appeal decision relating to matters that could be included when calculating fees that could be charged for certain types of licences for taxi and private hire drivers and vehicles.

At the appeal, the Court had been asked to consider two issues. Firstly were all licensing regimes to be self-financing and not be subsidised by the taxpayer, and secondly, whether the enforcement costs of monitoring driver behaviour could be included in the licence fee which covered fees for vehicles and operators licences. The Court had held that they could not. However, Wakefield Council had argued that the costs of issue and administration of a driver's licence under Section 53 of the Act, could include the costs of monitoring driver behaviour, and the Court agreed with that.

Members were informed that the Licensing Authority would need to review their costs and set a nominal amount. At present, the Authority's fees were in the bottom quarter nationally and had not been challenged.

Further discussion would take place by regional colleagues and a new scale of fees would be brought back to the Committee for approval and further consultation.

RESOLVED that members note the report.

10. FUTURE MEETINGS

A Member referred to the timetable of the meetings for 2020/21 and queried some of the meeting dates. This would be followed up by Democratic Services.

RESOLVED that the information be noted.

CHAIR:

DATE: _____