



LICENSING COMMITTEE

THE MEETING WAS A REMOTE MEETING HELD IN ACCORDANCE WITH THE REGULATIONS UNDER SECTION 78 OF THE CORONAVIRUS ACT 2020.

Thursday, 4th February, 2021 at 6.30 pm

PRESENT

MEMBERS

Councillors A Khan (Chair), F Cant (Vice-Chair), H Baker, P Campbell, I Emo, P Gill, S Hall, S Hussain, M Lishman, A Raja, J Sumner and M Townsend

Councillor Baker joined the meeting at 6.36pm

Councillor Campbell joined the meeting at 6.52pm

OFFICERS

Karen Davies	– Environmental Health and Licensing Manager
James Astin	– Workplace Compliance Officer
David Talbot	– Senior Solicitor
Chris Gay	– Governance Manager
Christine Wood	– Democracy Officer
Alison McEwan	– Democracy Officer
Eric Dickinson	– Democracy Officer

13. Apologies

Apologies were received from Councillor Charlie Briggs.

14. Minutes

To minutes of the previous remote meeting of the Licensing Committee held on Thursday, 12th November 2020 were approved as a correct record.

15. Additional Items of Business

There were no additional items of business.

16. Declaration of Interest

There were no declarations of interest.

17. Exclusion of the Public

There were no items of business requiring members of the public to be excluded from the meeting.

18. Public Question Time

Mr Usman Arif addressed the Committee under the Council's Right to Speak Policy in relation to the age limit for private hire and black cabs that were due to expire in 2021.

Mr Usman requested that consideration be given to extending the expiration date for vehicles due to expire in 2021 for an extended period of 12-18 months. Mr Usman outlined to the Committee grounds for the request.

The Chair advised Mr Usman that the matter would be referred to Council Officers, in consultation with the Taxi Task Group. The Chair also advised that the Task Group included trade representatives and was the appropriate forum in which to consider the request.

19. Taxi Licence Fees 2021

The Environmental Health and Licensing Manager submitted a report to the Committee to request that the level of taxi licence fees effective from January 2021, be determined.

As the year's activity on taxi related work had been largely in response to the pandemic, the Committee was advised that it would be inappropriate to pass those costs over to the taxi trade, and that fees should remain unchanged.

The Chair welcomed the recommendation and referred to the difficulties experienced by the taxi trade during the pandemic.

DECISION

That in the light of the Covid-19 pandemic, and the significant changes to service delivery since March 2020, taxi fees remain unchanged for 2021.

20. Department for Transport Statutory Taxi & Private Hire Vehicle Standards

The Licensing and Compliance Officer submitted a report to the Committee to:

1. Provide the Committee with an overview of actions required to deliver compliance with the Department of Transport (DfT) `Statutory Taxi and Private Hire Vehicle Standards`; and
2. To seek approval of the Committee of the proposals as outlined in the report.

The Committee was advised that on 21st July 2020, the DfT had published 'Statutory Taxi and Private Hire Vehicle Standards' (The DfT Standards) and that the Standards are applied to Local Authorities having regard to the Policing and Crime Act 2017 which enabled the Secretary of State for Transport to issue statutory guidance to Local Authorities as to how taxi and private hire licensing should be undertaken to protect children and vulnerable adults when using taxis and private hire vehicles.

A copy of the 'DfT Statutory Taxi and Private Hire Vehicle Standards – Burnley Borough Council's Position' was attached to the report at Appendix A. The Committee was advised that the Council will need to review its hackney carriage and private hire policies and procedures so that as a minimum they meet The DfT Standards but that any local standards must be appropriate for Burnley Borough Council's local needs, and that the Council would need to be transparent in explaining the reason for the standards it adopts.

The Committee was also advised that the original intention had been to include an estimated time-line for the development and implementation of each element of the standards, however, due to the uncertainties brought about by the pandemic, the proposal was that an update of the progress of the review work would be brought to Committee alongside matters for decision. This was to ensure that the Committee was kept updated on progress and that regular updates could be provided to the DfT as required. The parts of the DfT guidance that related to DBS checks had been prioritised, and would be the subject of an early report to the Committee

Members made the following points and received the following responses:

Councillor Howard Baker – Regarding the policy implications at paragraph 11 “the Department expects these recommendations to be implemented unless there is compelling local reason not to”, If we don't respond quickly, will it be assumed that we are following the recommendations because we have not responded?

A document has been submitted providing a brief outline of areas we are looking at. There is not an expectation to deliver immediately because there is a lot of work to do. The Council must take the standards into account and must give clear reasons for departing from the policy. The Department for Transport do not have enforcement powers if we do not comply but there are administrative functions which will increase workload, but most of the guidelines are reasonable requests. We would need to provide good reason for not complying. When we are able to do so, we will report to Committee periodically for consultation and agreement, if the Conviction policy requires tweaking. We are doing what we can do that does not require the approval of the Committee.

Councillor Margaret Lishman – It would be helpful to have a list of priority order brought to Committee in which tasks should be tackled and a time frame of how this would be accomplished to provide a structured way tasks are to be approached.

There are points in the appendices that need to be prioritised. If you require a specific list, I will review the document and do that.

Councillor Mark Townsend – It has always been that safety and protection of public is top priority, especially children and vulnerable adults. I fully support that this is carried out in a priority order as suggested by Councillor Lishman.

DECISION

1. That the Committee approves the report; and
2. That a priority task list as suggested by Councillor Lishman and supported by Councillor Mark Townsend be submitted to a future meeting of the Licensing Committee.

21. Retirement of David Talbot, Senior Solicitor

On behalf of the Committee, Members expressed thanks and best wishes for the future to David Talbot, Senior Solicitor at Burnley Borough Council who would be retiring from the Council in March 2021.