

**MINUTES OF A MEETING OF THE
LICENSING AND APPEALS COMMITTEE
HELD ON 28 JANUARY 2020 FROM 7.00 PM TO 7.40 PM**

Committee Members Present

Councillors: Chris Bowring (Chairman), Abdul Loyes (Vice-Chairman), Rachel Burgess, Lindsay Ferris, Michael Firmager, Emma Hobbs, Sarah Kerr and Malcolm Richards

Officers Present

Luciane Bowker, Democratic & Electoral Services Specialist
Suzanne McLaughlin, Principal Public Protection Partnership Officer
Julia O'Brien, Principal Officer - Compliance and Enforcement
Amanda Ward, Senior Licensing Officer

24. APOLOGIES

Apologies for absence were submitted from Councillors Parry Bath, Paul Fishwick, Barrie Patman, Ian Pittock, Rachelle Shepherd-DuBey and Bill Soane.

Councillor Jim Frewin announced that he was standing down from the Committee.

25. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 1 October 2019 were confirmed as a correct record and signed by the Chairman, subject to the correction of the spelling of Councillor Rachel Burgess' name.

Matters arising

Councillor Burgess asked for an update on the Uber letter to the government. Julia O'Brien, Principal Officer Compliance and Enforcement stated that Officers had chased this up but had not received a reply. Councillor Bowring asked Officers to write a stronger letter to the government, Officers agreed to action it with Councillor Bowring.

Councillor Burgess pointed out that the Taxi Policy had still not been updated on the website and asked when this would be updated. Julia O'Brien stated that Officers were working through the changes.

Councillor Burgess asked for an update on the Air Quality report. Suzanne McLaughlin, Principal Public Protection Partnership Officer stated that things had moved on since this was last discussed at the Committee. It had been decided that this was not within Licensing's remit. Suzanne McLaughlin stated that Sean Murphy, Public Protection Partnership Manager would take the Air Quality report to the Executive for further discussion.

26. DECLARATION OF INTEREST

There were no declarations of interest.

27. PUBLIC QUESTION TIME

There were no public questions.

28. MEMBER QUESTION TIME

There were no Member questions.

29. HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE FEES CONSULTATION RESPONSES REPORT

The Committee received the Hackney Carriage and Private Hire Licence Fees Consultation Responses report which was set out in agenda pages 11-13. Suzanne McLaughlin presented the report.

Suzanne McLaughlin stated that a statutory 28 day consultation had been carried out between 12 December 2019 and 8 January 2020. She informed that a total of 239 letters were sent. The letters were sent mostly via email, where an email address was not available the letter was posted. In accordance with the current legislation a public notice was published in the Wokingham Paper on 12 December 2019. There were no responses to the consultation.

Suzanne McLaughlin stated that the proposal was as set out in Appendix A on page 13 of the agenda.

During the discussion of the item the following comments were made:

- Councillor Loyes asked if the chairman of the Wokingham Taxis Association had responded to the consultation. Suzanne McLaughlin stated that he had not responded;
- Councillor Richards asked if the absence of responses meant that the trade was happy with the proposal. Suzanne McLaughlin stated that that was the assumption;
- Councillor Burgess stated that the proposal had not significantly changed from last year's proposal. She stated that the trade trusted that the work was being carried out by the Taxi's Liaison Group. However, the Taxi's Liaison Group had been cancelled and the work was ongoing;
- Julia O'Brien stated that the proposed date for the cancelled Taxis Liaison Group was 15 January 2020, therefore after the end period of the consultation;
- Councillor Burgess wished it to be recorded that she did not agree with the proposals on the basis that the Taxis Liaison Group was still reviewing the fees and charges;
- Councillor Hobbs was of the opinion that the fees and charges were accurate and appropriate;
- Councillor Burgess stated that Officers were going to come back to the Taxis Liaison Group with the justification for the fees and charges, and this work had not yet been completed;
- Councillor Ferris stated that as the Taxi's Liaison Group would be reviewing the cost of the fees, he suggested agreeing to the proposal with a footnote stating that this was subject to in-year changes following the completion of the review;
- Julia O'Brien stated that this proposal had to be submitted to Council, otherwise the fees would have to remain the same as the current ones. She stated that the proposal included a reduction in the fees, she also stated that any subsequent changes would have to be submitted to Council; and
- Officers agreed to check with the Legal department about the caveat in the proposal.

After a robust discussion Members decided to agree to the proposal which would include a footnote stating that the fees could change in the year. The final wording would be circulated to Members of the Committee via email.

RESOLVED That;

- 1) The result of the consultation be noted; and

- 2) The Committee agreed with the proposed licensing fees as set out in Appendix A; subject to the addition of a footnote stating that the fees could change.

30. TAXIS LIAISON GROUP UPDATE

Julia O'Brien stated that the proposed meeting had been delayed because of the amount of work that was requested. Officers were currently undertaking the benchmarking work with other local authorities in relation to taxi fares and wheelchair accessibility requirements.

Julia O'Brien stated that Officers were seeking to contact disability groups and ask questions about their use of taxis. She invited Members to send Officers names of groups and questions that they wished to be asked.

Councillor Kerr believed that the communications department had compiled a list of disability groups in the borough which could be used.

Members discussed the fact that taxis should accept assistance dogs in their vehicles. There were mixed views as to whether this was happening in the borough. Members agreed that drivers should be encouraged to accept assistance dogs.

In response to a question Julia O'Brien stated that the tariff review which had been submitted by the trade would be discussed at the next meeting of the Liaison Group.

In response to a question Julia O'Brien stated that the temporary spaces on Henley Bridge had already been organised.

In response to a question Julia O'Brien stated that the next meeting of the Taxis Liaison Group would take place in March.

RESOLVED That the verbal report be noted.

31. ANIMAL WELFARE FEES CONSULTATION RESPONSES REPORT

The Committee received the Animal Welfare Fees Consultation Responses report which was set out in agenda pages 15-19. Suzanne McLaughlin presented the report.

Suzanne McLaughlin stated that a consultation on fees relating to those affected by the new animal licensing regime had been carried out, as requested by the Committee. The consultation period ran from 10 December 2019 to 1 January 2020, with 67 premises having been contacted.

Suzanne McLaughlin stated that one response was received in the form of a telephone conversation. This was from a Home Border who was dissatisfied in the likely increase in their fee, which was due to the situation with them being a new licence holder so only currently having a one year licence.

Suzanne McLaughlin explained that the longer the licence the more cost-effective it became. The licence length was determined by the business's ability to meet the welfare standards and the likelihood of maintaining compliance into the future licence. Therefore those with longer licences would receive fewer inspections and would pay less for the inspection fees.

During the discussion of the item the following comments were made:

- Councillor Ferris asked about the status of existing licence holder who had been licensed under the old regime. Amanda Ward, Senior Licensing Officer stated that in 2018 everyone had been assessed and been given a star rating accordingly;
- Amanda Ward stated that the length of licence depended on the star rating given;
- In response to a question Julia O'Brien stated that there was one premise selling puppies in the Borough, in Winnersh;
- Councillor Bowring asked what would happen to the licence if there was a change in a premises management and what happened if the premises changed address. Amanda Ward stated that a change of address would incur in a new licence. However, a change in management would not trigger any changes, this would only be picked up at the point of re-assessment;
- In response to a question Amanda Ward stated that she would have to check the legislation to ascertain if premises were obliged to inform the local authority of management changes;
- In response to a question Amanda stated that no one had been refused a licence. Members were informed that applicants had the right to appeal if refused.

RESOLVED That the Committee agrees with the proposed Animal Welfare Fees for 2020/21 as set out in Appendix A.