

Minutes of a meeting of the GENERAL PURPOSES LICENSING COMMITTEE on Monday 22 October 2018

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Committee members:

Councillor Clarkson (Chair)

Councillor Cook (Vice-Chair)

Councillor Gotch

Councillor Howlett

Councillor Taylor

Councillor Simm

Officers:

Daniel Smith, Lawyer

Joshua Curnow, Licensing Compliance Officer

Lesley Rennie, Business Regulation Team Manager

Samantha Broome, Licensing Officer

John Mitchell, Committee and Member Services Officer

9. Apologies for Absence

Apologies for absence were received from Councillors Landell-Mills and Lygo.

10. Declarations of Interest

None.

11. Update on Taxi Licensing Activity: April 2018 - July 2018

The Head of Community Services had submitted a report to inform the Committee of the progress made by the Taxi Licensing team during the current Council year for the period April 2018 – July 2018.

The Licensing Officer introduced the report and drew attention to some of its key elements.

Attention was drawn to recent amendments to the Hackney Carriage and Private Hire Driver and Vehicle criteria made by the Head of Community Services to ensure that Licensing Authority documents, processes and procedures are kept up to date, offer adequate advice and support to the trade as well as continuing to set robust and high standards.

Amendments to the Vehicle Application Pack include: the updating of the name of the appointed licensed vehicle testing centre to Oxford Direct Services Testing Centre; amendments to align the Certificate of Compliance (CoC) testing with the new Driver and Vehicle Standards Agency rules for MOT testing; and ensuring that vehicles are presented for CoC no earlier than 28 days prior to expiry.

Amendments to the Driver application pack include: 'Transporting Disabled Passengers and How to Ensure Safety of Wheelchair Users'; and the new online procedure for checking DVLA Driver Licences for all applicants.

The report drew attention to implementation of the national register of Taxi Licence Refusals and Revocations in the process for determining new and renewal applications for Hackney Carriage and or Private Hire Driver Licences, the proposed date of implementation for which was 01 January 2019.

The Authority is reviewing current criteria and processes to encourage the trade to apply for licences with Oxford City Council and so minimise the incentive to be licensed by other authorities in order to tackle cross-border hiring. The Authority proposes to assist drivers currently licensed by other Oxfordshire Authorities by accepting valid documents and offering a discount in fee for every full year the driver has left on their current 3 year Oxfordshire licence.

In response to questions from the Committee the Licensing Officer confirmed that the rate of licence applications was more or less stable and comparable with the previous year.

It was confirmed that safeguarding training for drivers was in relation to both children and adults.

There was close co-operation with other licensing authorities in relation to drivers whose applications had been refused or in relation to whom there were significant concerns.

The requirements in relation to the contents of first aid kits to be carried on Hackney Carriages and Private Hire vehicles had been in place for several years and were observed to be a little out of date. It was suggested that thought should be given to the adoption of kits meeting British Standard 8599-1. The Licensing Officers agreed to pursue this suggestion.

It was noted that exhortations/requirements to use environmentally friendly vehicles, whilst desirable, were not the primary objective of vehicle licensing and were (and would be) pursued by the Council, by other means. The Licensing Authority is committed to support the reduction of air pollution and the implementation of the Council's Zero Emission Zone in the City of Oxford. Changes to the vehicle licensing criteria had been made to ensure that applicants wishing to use such vehicles were not prohibited from doing so.

The Solicitor updated the Committee in relation to the appeals against the General Purposes Licensing Casework Sub-Committee's decisions. One of the two appellants, appealing to the Crown Court having been dismissed by the Oxford Magistrates' Court, had since withdrawn his appeal. This left just one appeal awaiting court summons and hearing date.

The Committee resolved to:

- 1) **Note** the contents of the report; and
- 2) **Recommend** that consideration be given to requiring the adoption of British Standard 8599-1 for first aid kits for Hackney Carriages and Private Hire Vehicles.

12. Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 and approval of associated licence fees and charges.

The Head of Planning, Sustainable Development and Regulatory Services had submitted a report to bring to the Committee's attention the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 and to seek approval of associated licence fees and charges.

The Licensing Officer introduced the report. The Regulations came into force on 01 October 2018 and provided a much needed consolidation of previous animal welfare legislation, some of which had not been reviewed since 1925.

The new legislation outlines the general conditions which licence holders must meet. These were national conditions which could not be amended. The legislation allows licensing authorities to charge a reasonable amount to cover the cost of considering the grant, renewal or variation of a licence, assessing compliance and enforcement against unlicensed operators.

The Regulations covered 5 broad areas: selling animals as pets; providing or arranging for the provision of boarding for cats or dogs; hiring out horses; dog breeding; and keeping or training animals for exhibition.

While dog breeders and members of the Kennel club, for example, might be expected to be aware of the new Regulations, many other members of the public who would be affected by the requirements would not. While DEFRA was the lead organisation for these matters, there was an emerging expectation that local authorities would take the lead in publicising the new requirements and the Council would use a variety of social media and other means to do so.

The Licensing Officer explained that the Regulations included a number of exemptions to prevent them from being unduly onerous for people who might, for example, want to sell puppies occasionally on a domestic rather than commercial basis. The Regulations also permitted a flexible licensing system to allow authorities to licence for a period and fee that was proportionate to the risks of a particular case or application.

The Licensing Officer concluded by observing that following publication, a national petition had been launched, seeking improvements to the Regulations and accompanying guidance and which might result in some fine-tuning of both in the future.

The Committee resolved to:

- 1. **Note** the coming into effect of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 and consequent powers and duties;
- 2. **Agree** the licence fees and charges as set out in Appendix A and recommend them to Council; and
- 3. **Recommend** Council delegate animal welfare licensing responsibilities to Head of Planning, Sustainable Development and Regulatory Services.

13. Minutes

The Committee resolved to **approve** the minutes of the meeting held on 16 May 2018 as a true and accurate record.

14. Dates of Future Meetings

The next meeting of the Committee is scheduled to take place on 23 January 2019, starting at 6.15 pm.

The meeting started at 6.00 pm and ended at 6.40 pm

Chair

Date: Wednesday 23 January 2019