

**Minutes of the Licensing Committee
23 July 2024**

Present:

Councillor S.A. Dunn (Chair)
Councillor M.J. Lee (Vice-Chair)

Councillors:

M. Arnold	T. Burrell	J.T.F. Doran
C. Bateson	R. Chandler	K.M. Grant
S. Bhadye	D.C. Clarke	B. Weerasinghe

4/24 Minutes

The minutes of the meeting held on 5 March 2024 were agreed as a correct record.

5/24 Disclosures of Interest

There were none.

6/24 Hackney Carriage and Private Hire Licensing Policy

The Principal Licensing Officer presented the draft Hackney Carriage and Private Hire Licensing Policy prior to it undergoing a four-week consultation period by the Taxi trade.

The Principal Licensing Officer explained the Policy had been heavily revised to incorporate the Statutory Standards and Best Practice Guidance issued by the Department for Transport. Views on key changes to CCTV and window tinting had also been sought from key stakeholders, such as Surrey Police. The Principal Licensing Officer also advised the Committee that the following wording required adding to the draft policy: “For new vehicles between the policy being adopted and 30 September 2025, if the vehicle is not ULEZ (Ultra Low Emission Zone) compliant then a 10 year age limit for non-wheelchair accessible and 12 year age limit for wheelchair accessible will apply.”

The Committee was provided with a list of significant changes to the policy, which included:

- A revision of the emissions policy
- Relaxation to Window Tinting requirements
- Changes to requirements on DBS checks
- Removal of requirement to carry a first aid kit and fire extinguisher

- New training requirements including refresher training (disability awareness training, safeguarding training, child sexual abuse and exploitation training, county lines training)

The Committee debated whether the policy should be amended to remove references to the London Ultra Low Emission Zone compliance and instead reference European Emissions Standards. The Committee noted that references to ULEZ compliance were in line with neighbouring authorities in Surrey, and were more familiar to members of the public. The Committee suggested that references to ULEZ in the policy be footnoted with European Emissions Standards, and this was agreed.

The Committee also debated the removal of the requirement for taxis to carry a first aid kit and fire extinguisher. The Principal Licensing Officer explained that regular inspections indicated that these were rarely used and if the Licensing Authority required them to be carried, training on their use would also be required at a cost to the taxi industry. The Committee noted that drivers could still carry them voluntarily. The Committee voted on whether the requirement to carry a first aid kit and fire extinguisher should be removed from the policy, and **resolved** by majority to agree its removal.

The Committee **resolved** to approve the Hackney Carriage and Private Hire Policy 2024-2029 for consultation subject to the inclusion of the additional wording raised at the meeting.

7/24 Pavement Policy

The Principal Licensing Officer presented the draft Pavement Policy prior to it undergoing a four-week consultation period by relevant stakeholders.

The Principal Licensing Officer explained in June 2020, the Government announced relaxations to planning and licensing laws to assist the recovery of the hospitality industry from the pandemic. The legislation was initially temporary, but had been extended a number of times with the last extension expiring in September 2024. Pavement Licensing had also been delegated to the district/borough level away from the highways authority.

Amendments to the policy included the following:

- Removal of irrelevant sections
- Addition of section on enforcement
- Changes to the duration of licences
- Higher statutory fee caps of £500 for a new application, and £350 for a renewal

The Principal Licensing Officer advised the Committee that as part of an initial stakeholder consultation, Surrey Police and the Staines Business Improvement District had suggested a no glassware condition as part of the policy. This was not a condition that existed in other Surrey Licensing Authorities, and no evidence had been provided to demonstrate a need for the suggested condition.

The Committee debated the statutory fees being set at the maximum level. Some members of the Committee felt the maximum charge would be a burden on small businesses, and suggested a tiered charge or charge per chair. The Principal Licensing Officer advised the Committee that the maximum charge did not cover the cost to the Council to provide the service, and lower charges would be subsidised by taxpayers. Some members of the Committee noted the lowered cost set to assist businesses during the pandemic, and felt the maximum charge reflected the true cost of the service.

The Committee considered the request for a no glassware condition to be added to the policy. The Committee acknowledged there was no evidence behind the request and felt that glass was more climate friendly compared to plastic alternatives. It was proposed by Councillor Bateson and seconded by Councillor Lee that option one of the report, excluding the glass condition, be considered.

The Principal Licensing Officer advised the Committee that following legal advice, the recommendation would need to be reworded to “Agree the policy as proposed for consultation and recommend to Council an additional delegation in the Office Scheme of Delegations that minor amendments to the policy be approved by the Senior Environmental Health Manager.” The Committee requested any amendments be done in consultation with the Chair of the Licensing Committee, and this was agreed.

The Committee **resolved** to agree the policy as proposed for consultation and to recommend to Council an additional delegation in the Office Scheme of Delegations that minor amendments to the policy be approved by the Senior Environmental Health Manager in consultation with the Chair of the Licensing Committee.

8/24 Gambling Act Policy 2025-2028 Draft for Consultation

The Principal Licensing Officer presented the draft Gambling Act Policy 2025-2028 prior to it undergoing a four-week consultation by relevant authorities.

The Principal Licensing Officer explained that the Policy had only recently undergone a review and approval, and the only changes since it was last agreed were changes to formatting. The Committee’s attention was drawn to the list of consultees at the end of the policy.

A member of the Committee acknowledged the impact of gambling on vulnerable residents and queried if any further warning regarding gambling could be added to the policy. Other members of the Committee felt this was not necessary and noted this was not done on other policies. The Lawyer advised against additional wording as it may be read as an opinion.

The Committee **resolved** to approve the draft Statement of Gambling Policy 2025-2028 for consultation in accordance with the timetable set out in the report.

9/24 Forward Plan

The Committee noted the forward plan for future Committee business.