

Licensing and Appeals Committee



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22 February 2018

A meeting of the **Licensing and Appeals Committee** of North Norfolk District Council will be held in the **Council Chamber, Council Offices, Holt Road, Cromer** on **Monday 5 March 2018 at 10.00 a.m.**

At the discretion of the Chairman, a short break will be taken after the meeting has been running for approximately one and a half hours.

Members of the public who wish to ask a question or speak on an agenda item are requested to arrive at least 15 minutes before the start of the meeting. It will not always be possible to accommodate requests after that time. This is to allow time for the Committee Chair to rearrange the order of items on the agenda for the convenience of members of the public. Further information on the procedure for public speaking can be obtained from Democratic Services, Tel: 01263 516010, Email: democraticservices@north-norfolk.gov.uk

Anyone attending this meeting may take photographs, film or audio-record the proceedings and report on the meeting. Anyone wishing to do so must inform the Chairman. If you are a member of the public and you wish to speak on an item on the agenda, please be aware that you may be filmed or photographed.

Emma Denny
Democratic Services Manager

To: Dr P Bütikofer, Mrs A Claussen-Reynolds, Mrs H Cox, Mrs P Grove-Jones, Mr S Hester, Mr M Knowles, Mrs M Millership, Mr P Moore, Mr J Rest, Mr R Reynolds, Mr P Rice, Mr S Shaw, Mr R Shepherd, Mr B Smith, Mrs V Uprichard

All other Members of the Council for information.

Members of the Management Team, appropriate Officers, Press and Public.



**If you have any special requirements in order to attend this meeting,
please let us know in advance**

If you would like any document in large print, audio, Braille, alternative format
or in a different language please contact us

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A G E N D A

1. TO RECEIVE APOLOGIES FOR ABSENCE

2. PUBLIC QUESTIONS

3. MINUTES

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To approve as a correct record, the minutes of the meeting of the Licensing and Appeals Committee held on 6 November 2017 and also the minutes of meetings of the Licensing Sub-Committee held on 1 November 2017 and 6 December 2017.

4. ITEMS OF URGENT BUSINESS

To determine any other items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B(4)(b) of the Local Government Act 1972.

5. DECLARATIONS OF INTEREST

Members are asked at this stage to declare any interests that they may have in any of the following items on the agenda. The Code of Conduct for Members requires that declarations include the nature of the interest and whether it is a disclosable pecuniary interest.

6. PUBLIC PROTECTION WORKLOAD – LICENSING

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Summary: The report highlights the current licensing issues and recommends a work programme for the Committee for the coming year.

Conclusions: N.A

Recommendations:

1. That Members agree the work programme
2. That Members agree the process for recommending the Hackney Carriage Fare change

Cabinet Member(s) Councillor Richard Price – Portfolio Holder Councillor Simon Hester - Chair of the Licensing Committee	Ward(s) affected - All
Contact Officer, telephone number and email: Gemma Faircloth 01263 516139 gemma.faircloth@north-norfolk.gov.uk	

7. UPDATE ON THE TAXI WORKING GROUP AND CONSULTATION ON REVISION TO THE HANDBOOK

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Summary: The report highlights the work undertaken to date and outlines the proposed consultation exercise.

Conclusions: N.A

Recommendations: That Members note the report.

Cabinet Member(s) Councillor Richard Price – Portfolio Holder Councillor Simon Hester - Chair of the Licensing Committee	Ward(s) affected - All
Contact Officer, telephone number and email: Gemma Faircloth 01263 516139 gemma.faircloth@north-norfolk.gov.uk	

8. UPDATE ON GENERAL LICENSING ISSUES

To give an oral update on licensing issues.

9. UPDATE ON TASK & FINISH GROUPS

To give an oral update on task and finish groups.

10. EXCLUSION OF PRESS AND PUBLIC

To pass the following resolution, if necessary:

“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph _ of Part I of Schedule 12A (as amended) to the Act.”

11. TO CONSIDER ANY EXEMPT MATTERS ARISING FROM CONSIDERATION OF THE PUBLIC BUSINESS OF THE AGENDA

LICENSING AND APPEALS COMMITTEE

Minutes of a meeting of the Licensing and Appeals Committee held at 10.00 am on 6 November 2017 in the Council Chamber, Council Offices, Holt Road, Cromer.

Members Present:

Mrs A Claussen-Reynolds	Mr P Moore
Mrs H Cox (Chairman)	Mr R Reynolds
Mrs P Grove-Jones	Mr R Shepherd
Mr S Hester	Mr B Smith
Mr R Price (observing)	
Mr J Rest (observing)	

Officers in attendance:

Public Protection Manager, Legal Advisor, Accountancy Technician and Committee Officer (Regulatory)

9 APOLOGIES FOR ABSENCE

Mr P Butikofer, Mr N Coppack, Mrs M Millership, Mr S Shaw and Mrs V Uprichard sent apologies.

10 PUBLIC QUESTIONS

None received.

11 MINUTES

The minutes of the meeting of the Licensing and Appeals Committee held on 11 September 2017 and Licensing and Appeals Sub-Committees held on 6 September and 4 October 2017 were approved as a correct record and signed by the Chairman.

12 ITEMS OF URGENT BUSINESS

None.

13 DECLARATIONS OF INTEREST

Councillor S Hester stated that he had worked in the licensed trade for many years but had now left the trade. He had active contacts within the trade.

14 REPORT OF PROPOSED FEES AND CHARGES FOR THE YEARS 2018/2019

The Public Protection Manager presented a report updating the Committee on the proposed fees and charges for 2018/19. The report also provided information on the work being carried out by the Public Protection and Finance Teams to ensure that all fees and charges which could be set by the Council, and in particular those relating to Private Hire and Taxi licensing, were based on a model of cost recovery. The Public Protection Manager outlined the main changes to the charging structure.

The Public Protection Manager clarified a number of points raised by Members relating to specific fees and charges outlined in the report.

With regard to issues raised by several Members regarding taxi licensing fees, the Public Protection Manager explained that the Council could not charge fees in excess of cost recovery. Charging was reasonable and accurate but further work was necessary to break costs down even further. The Council could charge for the cost of compliance but could not charge for enforcement.

In response to a query by Councillor R Reynolds said that previously all fees and charges had been discussed by the Committee and asked if this was not now the case. The Public Protection Manager explained that fees were set by Officers and agreed by Full Council, except for Gambling fees which were set through the Committee process. The report had been brought to the Committee for discussion and any recommendations or suggestions could be put to Full Council. The Accountancy Technician added that determination of fees and charges was part of the budget setting process.

Councillor Mrs A Claussen-Reynolds asked why new park home licence fees for 2018/19 were less than the current fees. The Public Protection Manager explained that there had been an error on the last budget report and that the fees should be the same as currently stated in the policy.

The Public Protection Manager explained that in some cases there was a need to make amendments to current policies to enable fees and charges to be increased.

Councillor P Moore asked if further work on gambling fees would be done in time for budget setting. He considered that these fees should be raised to a reasonable level.

The Public Protection Manager stated that the work would be done for next year. The Authority was currently charging 75% of the statutory fee but this could rise or fall subject to further work being done on the cost of administration of the licences. She considered that the current fees were reasonable.

Councillor Mrs A Claussen-Reynolds considered that fees for bingo licences were high compared with adult gaming.

The Public Protection Manager explained that there were no licenced bingo establishments in the District at present. The fee was set by statute and the Council's fee was set at 75%.

Councillor Mrs P Grove-Jones questioned the charges for street trading consents and considered that they should not be free.

The Public Protection Manager explained that consent was free for non-profit making organisations. This did not include the direct debit collectors. Commercial street trading consents were subject to a charge.

Councillor S Hester asked if the high charge for sexual entertainment venues was statutory or intended to deter them.

The Public Protection Manager explained that the fee was set by the Council. There was a significant amount of time and work involved and the fee reflected the recovery of costs. There were no licensed sexual entertainment venues in the District at present. The Chairman added that it would be discriminatory to prevent them.

The Accountancy Technician explained that the costs recovery model ensured that in the event of fees and charges being challenged, the Council could demonstrate how they had been arrived at. Further work could be done to ensure that the figures were even more accurate. She was confident that the Council's fees and charges could be justified. She explained that any surplus at the end of the financial year was taken into earmarked reserves. This reserve was used to build back fee income if costs exceeded income. The Public Protection Manager added that consideration would be given to reducing fees if they were too high.

The Committee noted the report.

15 UPDATE ON GENERAL LICENSING ISSUES

The Public Protection Manager updated the Committee on the following matters:

Taxi Test Stations

The taxi test station contract was due for renewal in July. It was hoped that an additional test station could be provided in the west of the District. Work on procurement would commence in the New Year.

Gambling Policy

The gambling policy was due for review. Wide consultation would be carried out and a report brought before the Committee. The Police and gambling authorities would be consulted to see if there were any problems in this District.

Hackney Carriage Fares

A request for a change to Hackney carriage fares had been received. Fares had not been reviewed since 2013. Operators would be consulted as to their preferred charge and a report brought to Committee in January 2018.

Unauthorised Dog Breeding

The Public Protection Manager referred to an ongoing Court case. She confirmed that the premises would continue to be monitored.

"Scores on the Doors"

Councillor Mrs A Claussen-Reynolds stated that she had sent a response to the Chairman following the previous meeting regarding this matter. The Food Standards Agency would be making representations to the Government that it should be a requirement for all premises which sold food to display their food hygiene ratings.

16 UPDATE ON TASK AND FINISH GROUPS

Taxi Policy & Handbook

The Group would be meeting on 8 November to consider significant changes to the policy, prior to consideration by the Taxi Forum and wider consultation with the trade.

Councillor R Shepherd paid tribute to the Public Protection Manager and her team for their excellent work, particularly in recovering costs.

The meeting closed at 10.44 am.

Chairman

LICENSING AND APPEALS SUB-COMMITTEE

Minutes of a meeting of the Licensing Sub-Committee held on 1 November 2017 in the Council Chamber, Council Offices, Holt Road, Cromer at 10.00 am.

Sub-Committee Mrs A Claussen-Reynolds (Chairman)
Mrs P Grove-Jones
Mrs V Uprichard

Officers in Attendance: Public Protection Manager, Legal Advisor and
Committee Officer (Regulatory)
Environmental Health Administrative Officer (observing)

1 APOLOGIES

None.

2 ITEMS OF URGENT BUSINESS

None.

3 DECLARATIONS OF INTEREST

None.

4 EXCLUSION OF PRESS AND PUBLIC

RESOLVED

That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12A (as amended) to the Act.

5 Application for a Licence to Drive Hackney Carriage or Private Hire Vehicles in North Norfolk (WK/170030303)

Present: Applicant and Applicant's Son

The Members of the Sub-Committee introduced themselves and the Chairman introduced the Officers.

The Legal Advisor outlined the purpose of the hearing and explained the procedure for the meeting.

The Public Protection Manager presented the report. The applicant had applied for a licence to drive hackney carriage or private hire vehicles in North Norfolk. There were matters on his DBS report which required consideration by the Committee. She informed the Committee that the applicant currently held a taxi licence with another Authority, which he would surrender if granted a licence by NNDC as he had moved from that area.

The Chairman referred to section 5.2 of the application form which showed the applicant's DVLA licence as expiring in September 2017. The applicant

explained that the photograph on his DVLA licence had expired shortly after applying for a taxi licence. His current DVLA licence was valid until 2026.

The Chairman invited the applicant to put his case.

The applicant stated that he had made several mistakes in the past. He explained the background to his offending which related to his experiences in military service, PTSD, bereavement and other family and financial issues. He gave details of the nature of the offences, and explained that the most recent conviction in 2000 actually related to offences which had occurred several years previously. He could not recall some of the offences. He had subsequently remarried and become a father, which had changed his life totally, and had not offended since.

The applicant said that being a taxi driver meant a lot to him. He had come to Norfolk regularly on holiday and loved it. He was now living here temporarily in rented accommodation. He wanted to move permanently, but there would be no point in doing so if he did not have a job.

The Public Protection Manager stated that the offences were some time ago and the applicant had been working as a taxi driver for a year elsewhere.

The applicant did not wish to make a closing statement.

The Sub-Committee retired at 10.19 am and returned at 10.38 am.

RESOLVED

That the licence be granted.

The meeting closed at 10.45 am

Chairman

LICENSING AND APPEALS SUB-COMMITTEE

Minutes of a meeting of the Licensing Sub-Committee held on 6 December 2017 in the Council Chamber, Council Offices, Holt Road, Cromer at 10.00 am.

Sub-Committee Mr P Moore(Chairman)
Mrs M Millership
Mr R Reynolds

Officers in Attendance: Public Protection Manager, Legal Advisor and
Committee Officer (Regulatory)
Environmental Health Administrative Officer (observing)

1 APOLOGIES

None.

2 ITEMS OF URGENT BUSINESS

None.

3 DECLARATIONS OF INTEREST

None.

4 EXCLUSION OF PRESS AND PUBLIC

RESOLVED

That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12A (as amended) to the Act.

5 Application for a Licence to Drive Hackney Carriage or Private Hire Vehicles in North Norfolk (WK/170029282)

Present: Applicant

The Chairman introduced the Sub-Committee and Officers.

The Chairman asked the Applicant if he had received a copy of the agenda for the hearing. The Applicant stated that he had not.

The Public Protection Manager stated that a copy of the agenda had been sent by recorded delivery post to the address given by the Applicant and, as this had not been signed for, also by first class post.

The Legal Advisor outlined the purpose of the hearing and explained the procedure for the meeting.

The Applicant was provided with a copy of the agenda and the meeting was adjourned briefly to allow him time to read it before the Sub-Committee heard the case. The applicant indicated that he was happy to proceed.

The Public Protection Manager presented the report. The Applicant had applied for a licence to drive hackney carriage or private hire vehicles in North Norfolk. There were matters on his DBS report which required consideration by the Committee. The Applicant had not disclosed his previous convictions on the application form or at his initial interview.

There were no questions to the Public Protection Manager.

The Chairman invited the applicant to present his case.

The applicant explained that he had changed his life over the past eight years. He had been at a time of his life when he did not care or respect anything and been to prison, but he had since grown up and had a family. His criminal record was hanging round his neck and he wanted to move on. He had been through a number of support organisations and completed accredited courses. He wanted to do even more to change his life.

The Sub-Committee questioned the applicant.

The Chairman asked why he had not ticked the box to say he had previous convictions.

The Applicant explained that this was a mistake as he thought the form was like many others he had completed where he did not have to disclose his spent convictions. He apologised for his mistake.

At the request of the Chairman, the Legal Advisor confirmed that licensing was a special sector which required full disclosure of all historic convictions regardless of whether or not they were spent.

Councillor R Reynolds said that it was pointed out in large print that it was an offence to omit any details. He considered that it was important that the Sub-Committee understood fully the reasons why the Applicant had not felt it necessary to disclose his convictions.

The Applicant reiterated that it was a mistake on his part and all his convictions were spent. He was deeply sorry for the error.

Councillor Reynolds asked the Applicant if this was his first application for a taxi licence and if he understood what was required of him. The Applicant confirmed that he did.

At the request of Councillor Mrs M Millership, the Applicant explained the courses he had done to try to sort out his life. He stated that he was not proud of his criminal record, but it took that to find out who he was.

Councillor Reynolds asked the Applicant if he considered that his convictions were a consequence of the exuberance of youth and that he was over it.

The Applicant confirmed that he did and was trying to make himself a better person. If he did not get his taxi licence at least he would know he had tried.

The Public Protection Manager asked the Applicant if it was the case that when he attended his interview he had been asked about criminal convictions and said there was nothing on his record.

The Applicant said he probably misunderstood the question and was used to responding “no” as his convictions were spent.

In summing up, the Public Protection Manager stated that the Applicant had made a full application and had clarified a number of issues at the hearing. She referred to the options for determining this application.

The Chairman invited the Applicant to make a closing statement.

The Applicant said that everyone needed a chance, and this was a chance to do better in life.

The Sub-Committee retired at 10.34 am and returned at 11.20 am.

In determining this application, the Sub-Committee had taken into account the seriousness of the offences and the time which had elapsed since the last conviction, and accepted the Applicant’s account of how he had changed. It was considered that a one-year licence would be appropriate at this stage to support protection of the public. The Applicant could then apply to renew the licence at the appropriate time.

RESOLVED

That the licence be granted for one year.

6 Complaint with regard to driving standards of a licensed North Norfolk District Council Hackney Carriage/Private Hire driver (WK/170020886)

The Defendant was not present.

Notice of the meeting had been sent to the Defendant by recorded delivery post. As this had not been signed for, a further copy had been sent by first class post. The Defendant had subsequently signed for the recorded delivery copy on 29 November.

The Defendant had indicated that he would not attend the hearing as the Police investigation into this matter had not been concluded. The Public Protection Manager had advised him that he should attend and that if he did not, the case could be dealt with in his absence.

The Defendant had been advised to arrive at 10.30 am but he had still not arrived by 11.30 am. The Public Protection Manager attempted to contact the Defendant again but his phone had been switched off and it was established that he had made no attempt to contact the Council to explain why he could not attend.

The Legal Advisor explained that this hearing was completely separate from the Police investigation and could be determined on a balance of probabilities.

The Defendant would have a right of appeal to the Magistrates' Court which could take into account a genuine reason for non-attendance at this hearing.

The Sub-Committee considered whether the case should be heard in the Defendant's absence. The Chairman considered that the complainant should also be present. The Public Protection Manager explained that it was not considered necessary to invite the complainant to attend as statements had been made under Section 9 of the Criminal Justice Act 1967.

It was agreed that the case should be heard in the Defendant's absence.

The Public Protection Manager presented the report. A complaint had been received concerning the driving standards and conduct of a taxi driver. A representative of the Police had confirmed that the matter remained under investigation.

The Public Protection Manager referred to the witness statements, outlined the options for determination and the Defendant's right of appeal.

The Public Protection Manager answered Members' questions.

The Chairman asked if the complainant had been present at the time of the incident. The Public Protection Manager confirmed that she had not.

Councillor Reynolds asked if the Defendant had made a statement in defence.

The Public Protection Manager stated that she had interviewed the Defendant with the Head of Environmental Health. The Defendant had been very defensive at the interview. He had not made a supporting statement.

The Sub-Committee retired at 11.55 am and returned at 12.46 pm.

Having considered the written and oral evidence presented at the hearing, the Panel considered that there was a continuing risk to the safety of the public in light of its findings of how the Defendant had conducted himself at the time of the incident.

RESOLVED

That the licence be revoked with immediate effect.

The meeting closed at 12.50 pm

Chairman

PUBLIC PROTECTION WORKLOAD - LICENSING

Summary: The report highlights the current licensing issues and recommends a work programme for the Committee for the coming year.

Conclusions: N.A

Recommendations: 1. That Members agree the work programme
2. That Members agree the process for recommending the Hackney Carriage Fare change

Cabinet Member(s) Councillor Richard Price – Portfolio Holder Councillor Simon Hester - Chair of the Licensing Committee	Ward(s) affected - All
Contact Officer, telephone number and email: Gemma Faircloth 01263 516139 gemma.faircloth@north-norfolk.gov.uk	

1. Introduction

- 1.1 This report sets out the current priorities for work within the Public Protection Team – Licensing function. It aims to inform members of the work required over the coming year.
- 1.2 A number of the Council’s current policies setting out standards and conditions for areas of the licensing function of the Public Protection Team are due for review, in particular the finalisation of the Hackney Carriage (HC) and Private Hire (PH) Policy and Handbook and the Gambling Policy (Statement of Principles).
- 1.3 Other areas of review are; the Hackney Carriage Fare; the taxi test station contract; the caravan project and the continuation of review of current and future policies and the production of a policy review timetable.
- 1.4 New legislation relating to animal welfare is due to be introduced in October 2018.

2. Current Policy Reviews

- 2.1 The HC and PH policy and handbook is reported on separately.
- 2.2 The Gambling Policy review is required under the Gambling Act 2005, all licensing authorities must prepare and adopt a policy upon which decisions on applications for licences within the District are considered. The policy is required to be reviewed every 3 years and the latest review is due this year for adoption on 31 January 2019.
- 2.3 The current policy was drawn up by Officers across the 7 Districts in Norfolk and became effective in 2010, subsequent reviews have been made ensuring the policy takes account of new guidance and legislative changes and to remain relevant. The gambling policy review is in the early stages and will be sent for consultation in due course. The consultation is a 12-week process and consults local licence premises, the police and other agencies and authorities who have an interest.
- 2.4 Once the consultation responses have been received, collated and considered the final draft policy will be provided to the Licensing and Appeals Committee and Full Council for approval. It is not anticipated that significant changes will be required.

3 Hackney Carriage Fare Review

- 3.1 Following a request for the Hackney Carriage Fare to be reviewed a consultation is in progress and due to end on 19 February 2018. The fares have not been reviewed since 2011. The responses will be collated and the suggested fare from those responses will need to be considered.
- 3.2 It is proposed that the Chair and Vice Chair of the Licensing and Appeals Committee agree the suggested fare change with the Head of Environmental Health and Public Protection Manager.

4 Caravan Project

- 4.1 The project to review the caravan sites and to transfer the hard copy files to the Environmental Health (EH) database is on-going; this work has not progressed as hoped due to involvement of the team in the Business Process Review (BPR) project. The work continues to be important and will need to be addressed once the BPR process has slowed or been completed.
- 4.2 Once the information has been added to the EH Database, a review of the current conditions and licences is proposed.

5. Review of required policies and timetable

- 5.1 It is proposed that a review is carried out of the current documented policies relating to licensing matters to ensure that all relevant areas are covered by a policy (if required) and thereafter a timetable for review is drawn up to enable effective and timely reviews are carried out and that the Committee members can see easily what will be covered in the work programme each year.

6. New Legislation

- 6.1 New Animal Welfare legislation is due to be released in October 2018, it is likely that procedures and policies will need to be reviewed and updated and that there will be training implications for the new legislative requirements. Further information will be released in due course and the Committee will be updated.

7. Implications and Recommendations

- 7.1 The proposals in this report are consistent with the Council fulfilling its statutory duty as a licensing authority and do not pose any additional risks to the Council or the public.

8. Financial Implications and Risks

- 8.1 There are no identified issues relating to financial implications arising from this report.

9. Sustainability

- 9.1 There are no identified issues relating to sustainability arising from this report.

10. Equality and Diversity

- 10.1 There are no adverse impacts on any protected groups under the Equality Act. The impacts apply equally to everyone.

11. Section 17 Crime and Disorder considerations

- 11.1 The proposals are consistent with the Council fulfilling its statutory duties as licensing authority in the regulation of licensable activity.

UPDATE ON THE TAXI WORKING GROUP AND CONSULTATION ON REVISION TO THE HANDBOOK

Summary: The report highlights the work undertaken to date and outlines the proposed consultation exercise.

Conclusions: N.A

Recommendations: That Members note the report.

Cabinet Member(s) Councillor Richard Price – Portfolio Holder Councillor Simon Hester - Chair of the Licensing Committee	Ward(s) affected - All
Contact Officer, telephone number and email: Gemma Faircloth 01263 516139 gemma.faircloth@north-norfolk.gov.uk	

1. Introduction

- 1.1 This report has been produced in order to update the Committee on the working group and progress of the taxi policy and handbook revision. It informs the Committee on the key areas of revision and of work that is still required.
- 1.2 The current policy and handbook, which outlines the expected standards and conditions for all operators, drivers and vehicles within North Norfolk District Council have been considered in relation to policies in neighbouring authorities, to ensure a consistent approach, where possible, within Norfolk and with regard to best practice nationally.
- 1.3 The existing policy still contains relevant procedures and conditions but was in need of reorganising and updating to take into account new areas which are considered relevant to safeguarding members of the public, including vulnerable groups.
- 1.4 Following a meeting of the working group the first draft has been produced. A number of key changes are proposed; including additional training for all drivers in relation to safeguarding; the use of CCTV; updating of the group 2 medicals in line with current guidance; introducing additional measures to ensure the suitability and quality of vehicles used; introducing more specific conditions for wheelchair accessible vehicles and; introducing more detailed guidelines on relevance of convictions for hackney carriage and private hire licensing.
- 1.5 The policy has been significantly re-ordered to provide more clarity for operators and drivers and members of the Licensing Committees and the Public Protection Team who administer and enforce the hackney carriage and private hire applications and queries.

1.6 The Policy will set out the procedures and conditions under the following headings;

- The Purpose of Licensing / Licensing Objectives
- Introduction; setting out role of the authority /committees /hearings
- Application Process
- All Vehicles – conditions relevant to both Private Hire and Hackney Carriages
- Hackney Carriage Vehicles
- Private Hire Vehicles
- Special Event Vehicles
- Combined Hackney Carriage and Private Hire Driver's Licences
- Private Hire Operators
- Hackney Carriage Byelaws
- Penalty Point System
- Summary of Offences
- Appendices; Accident report form, Convictions guidelines, immediate revocation/suspension procedure, horse drawn taxis

1.7 The handbook and policy is in the final draft stages, with some additional work required in relation to requirements around CCTV; this is a relatively new area for many licensing authorities and the policy needs to ensure that it can meet the requirements set out by the Information Commissioner's CCTV code of Practice. Once this information has been considered a final draft will be shared and agreed with the working group before the consultation process is implemented.

2. Consultation Process

2.1 The consultation will need to be for a period of 12 weeks in accordance with normal consultation practice. A letter will be sent to all operators and drivers with details on how to access the consultation documents. The draft handbook and policy will be available on the Council's website and signposted for members of the public. Additionally, a hard copy will be available to view at the Council's offices in Cromer.

2.2 It has been agreed with the North Norfolk Private Hire and Taxi Forum that prior to the 12-week consultation that they will be provided with a copy for initial comment; this will allow for key issues to be identified and potentially addressed before the wider consultation.

2.3 Individuals and groups representing the interests of key sectors of the travelling public will be sent details on how to access the consultation documents.

2.4 On conclusion of the consultation process, the responses will be collated for discussion and consideration by the working group. Following these considerations, the policy and handbook will be updated, as necessary, before being approved by the Licensing and Appeals Committee and Full Council.

3. Implications and Recommendations

The proposals in this report are consistent with the Council fulfilling its statutory duty as a licensing authority and do not pose any additional risks to the council of the public.

4. Financial Implications and Risks

- 4.1 There are no identified issues relating to financial implications arising from this report.

5. Sustainability

- 5.1 There are no identified issues relating to sustainability arising from this report.

6. Equality and Diversity

- 6.1 There are no adverse impacts on any protected groups under the Equality Act. The impacts apply equally to everyone.

7. Section 17 Crime and Disorder considerations

- 7.1 The proposals are consistent with the Council fulfilling its statutory duties as licensing authority in the regulation of licensable activity.