



Licensing Committee – 3rd October 2018

Licensing Updates

Purpose of report

To provide members with an update on licensing matters.

1.0 Background

1.1 This report provides members with an update on licensing activity over the last three months.

2.0 Taxi Policy Consultation – Removal of the ‘Grandfather Rights’

2.1 Further to my last update to this Committee and my previous report to Policy and Resources Committee on 11th June (see link below) where it was agreed that amendments to the policy would be submitted for further consultation a meeting has now taken place with representatives from the taxi trade.

https://www.east-northamptonshire.gov.uk/meetings/meeting/862/policy_and_resources_committee

2.2 During this meeting the trade expressed concerns that the wheelchair accessible vehicle specification which is set out in our policy is very restrictive. They stated that the effect of this is that it limits the type of vehicle that they can use to those which are generally more expensive. Currently we have two main taxi operators, Blue Corner and Alco’s Taxis. Representatives from both were present at the meeting. It was suggested that each operator could have a number or percentage of wheelchair accessible vehicles and both said they would be happy to do this.

2.3 Research has been carried out to compare our wheelchair accessible specification to others in the county. This work confirmed that our specification is in fact very restrictive compared to others.

2.4 A report will be taken to Policy and Resources Committee in November which will propose that we do not carry out the consultation or remove Grandfather Rights at this time. The report will recommend that we change our wheelchair accessible vehicle specification. This will make it easier for the trade to have wheelchair accessible vehicles and will ensure that we retain a mixed fleet to suit a wide range of needs.

2.5 In addition to the above and in light of the unitary plans all taxi policies for the north of the county will eventually need to be harmonised into a single policy. Work has already commenced and in this respect it is felt that it would not be helpful or efficient to carry out a consultation. This ‘Grandfather Rights’ issue will be considered as part of the harmonisation process.

3.0 National Taxi Database

3.1 The Council is now signed up to the National Taxi Database. The register allows councils to record where a driver’s licence has been refused or revoked and allows authorities to check new applicants against the register. This will help officers to ensure that they are using all available information in assessing whether an applicant is a fit and proper person.

- 3.2 The taxi policy has been updated to reflect that the Council is using the database and an appendix has been added which sets out our policy in respect of the use of the database to ensure compliance with data protection requirements. A Privacy Impact Assessment has also been carried out.
- 3.3 At the time of writing these documents are being reviewed by the Council's Data Protection Officer. These policy changes will then go through the appropriate approval process. Licensing processes and procedures will then be updated and the trade will be notified that the Council has signed up to the database. Previous applicants who have had licences revoked or refused will be notified 28 days before their information is added to the register.

4.0 New Animal Welfare Regulations

- 4.1 On 1st October 2018 The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations come into force. These regulations will replace a number of pieces of existing legislation and will provide a new single licensing regime for a number of animal licensing activities.
- 4.2 Those undertaking the following activities will need to be licensed under the new regime:
- Selling animals as pets
 - Providing or arranging for the provision of boarding for cats or dogs (including day care)
 - Hiring out horses
 - Breeding dogs
 - Keeping or training animals for exhibition
- 4.3 A report will be submitted to Policy and Resources Committee on the 8th October to introduce the new regulations and recommend appropriate delegations.

5.0 Gambling Policy Consultation

- 5.1 A report was taken to Policy and Resources Committee on 3rd September 2018 seeking approval for the commencement of a six week consultation period for the revised gambling policy. The Policy which is required to be reviewed every three years is a county wide document. The Committee approved the consultation and resolved to recommend to Full Council that the Council maintains its current position of not having a 'no casino' policy. After the consultation and subject to no significant changes the Policy will go to the next Full Council for approval.

6.0 Equality and Diversity Implications

- 6.1 There are no equality and diversity implications arising from this report. In respect of the Taxi Policy Consultation – Removal of the 'Grandfather Rights' and the new Animal Welfare Regulations the Equality and Diversity implications will be considered when these matters are reported to Policy and Resources Committee.

7.0 Legal Implications

- 7.1 There are no legal implications arising from the report.

8.0 Risk Management

- 8.1 There are no identified risks arising from the report.

9.0 Resource and Financial Implications

- 9.1 There are no financial implications arising from the report.

10.0 Constitutional Implications

10.1 There will need to be appropriate constitutional changes in respect of the new Animal Welfare legislation which will be recommended to Policy and Resources Committee.

11.0 Implications for our customers

11.1 There are no implications for our customers arising from this report.

12.0 Privacy Impact Assessment

12.1 A Privacy Impact Assessment has been carried out in relation to the new National Tax Database which will be reported to Policy and Resources Committee.

13.0 Corporate Outcomes

13.1 The Corporate Outcomes affected by this report are:

- High Quality Service Delivery
- Effective Partnership Working
- Effective Management

14.0 Recommendations

14.1 Members are asked to note the content of this report.

Legal	Power: Town and Police Clauses Act 1847, Local Government and Miscellaneous Provisions Act 1976, The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.				
	Other considerations:				
Background Papers:	P&R report September 2017 P&R report March 2018 P&R report June 2018				
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Date: 10th September 2018					
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