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**Angela Hutchings**  
**Chief Executive**

## **AGENDA**

**Committee:** LICENSING COMMITTEE

**Date and Time:** Tuesday, 18th July 2023, 7pm

**Venue:** Council Offices, Council Chamber

**Membership:** Councillors , Barton-Brown, (Chairman), Acott, Anderson, Ainsley, T.Gibson, Greig, Hart, Jones, Knott, May, S. Mumford, Palmer, Savage, Taylor, Walter

**Officers attending:** Ann Horgan – Head of Governance  
Representative – For the Head of Licensing & Safer Communities  
Andrew Roby Smith – Strategic Director Corporate Services

**Committee Enquiries:** Ann Horgan Ext 2413/Loretta Hill, Ext. No. 2427

### **PART I** **(Business to be taken in public)**

#### **1. Apologies**

#### **2. Members Interests**

#### **3. Minutes**

A copy of the Minutes of the meeting held on 23rd November 2022 are attached.

#### **4. Appointment of Task & Finish Group – Hackney Carriage and Private Hire Licensing Policy Review**

The Committee is invited to appoint a Task & Finish Group to undertake a review of the Council's Hackney Carriage and Private Hire Licensing Policy.

#### **5. Petition Bring Back The Castle Point Taxi Knowledge Test**

To refer for consideration under the review of the Council's Hackney Carriage and Private Hire Licensing Policy.



## LICENSING COMMITTEE

**23<sup>RD</sup> NOVEMBER 2022**

**PRESENT:**

Councillors T. Gibson (Chairman), Acott, Anderson, Ainsley, Barton-Brown, Dixon, Greig, C. Mumford, S. Mumford, Palmer, Taylor and Walter.

**APOLOGIES:** Councillors E. Egan, May and Savage

**4. MEMBERS INTERESTS**

There were none.

**5. REVIEW OF GAMBLING LICENSING POLICY STATEMENT**

Under the Gambling Act 2005, the Council's Statement of Licensing Policy must be reviewed every three years. The review must be completed, and a revised policy statement published by 31 January 2023. This report presents a brief overview of the arrangements undertaken for the policy review.

The current policy statement came into effect in January 2019. There is a statutory requirement under the Gambling Act 2005 to review the policy statement every three years. The next policy statement on 3 January 2023, with it coming into force on 31 January 2023. The timetable to undertake the necessary legal formalities has been set accordingly.

There are prescribed procedures that the Council must undertake before the policy statement can take effect. This involves making the policy statement publicly available by a variety of means for a period of at least 4 weeks.

The Policy was attached showing text removed in red and text added in green.

This included formal consultation, an initial review is undertaken before formal consultation subject to consultation with the responsible authorities.

The Act requires that the following parties are consulted by the Licensing Authority:-

The Chief Officer of Police for the Authority's area;

- One or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area; and
- One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under the Act.

The other Groups and people consulted included: -

- Organisations working with people who are problem gamblers
- Responsible Authorities under the Act
- Public Health

A full list of all groups and persons consulted with was provided at Appendix A.

The policy statement must be adopted by full Council; this function cannot be delegated to either the Licensing Committee or Cabinet. The proposed policy statement must therefore be presented to Council on 30 November to allow sufficient time for the necessary publication to take place prior to 31 January 2023.

The policy statement has been revised to reflect the latest guidance issued to licensing authorities by the Gambling Commission. In particular:

- a) It is recognised nationally that there is a greater need to focus on understanding and mitigating gambling related harm more broadly rather than focussing on problem gambling alone. In this respect the revised policy statement emphasises the Council's focus on protecting children and vulnerable adults.
- b) Nationally, gambling policy and the regulatory environment overall has an increasing focus on risk. Since April 2016 gambling establishment operators have been required to undertake 'local area risk assessments' before submitting a premises licence application or variation.

Members considered the revised Policy Statement and were invited to ask questions. During discussion it was suggested that an amendment be made to Appendix A, the List of Consultees, to give a general description of Education Establishments rather than naming specific schools/colleges.

Following discussion, it was: -

**Resolved: -**

**Subject to the amendments made at the meeting: -**

1. To endorse the current action being taken to prepare and publish the Statement of Gambling Licensing Policy Statement.
2. To approve the revised Gambling Licensing Policy Statement.
3. To recommend to Full Council approval and adoption of the revised Gambling Licensing Policy Statement.

Chairman

**AGENDA ITEM NO.3**

**LICENSING COMMITTEE**

**18TH JULY 2023**

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**Subject:** **Hackney Carriage & Private Hire Licensing Policy –  
Appointment of Task & Finish Group**

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**1. Purpose of Report**

To invite the Committee to appoint a Task & Finish Group to undertake a review of the Council's Hackney Carriage & Private Hire Licensing Policy.

**2. Links to Council's Priorities and Objectives**

The review links to People.

**3. Recommendations**

**To appoint a Task & Finish Group to review the Council's Hackney Carriage & Private Hire Licensing Policy**

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**4. Background**

Public Safety is the main reason why the licensing of Hackney Carriage and Private Hire Vehicles drivers and operators is regulated.

The Department for Transport, (DfT) recommends all licensing authorities make publicly available a cohesive policy document that brings together all their procedures on taxi and private hire vehicle licensing.

The Hackney Carriage Taxi & Private Hire Policy February 2022 was reviewed in 2021 to incorporate the (DfT) 'Statutory Taxi and Private Hire Vehicle Standards' 2020 which the Government recommended all local authorities adopt.

A request has been made that a review is undertaken of the Policy.

**5. Proposals**

The Committee is invited to appoint a Task & Finish Group to undertake a review of the Council's Hackney Carriage Taxi & Private Hire Policy.

It is proposed that the Task & Finish Group should comprise of eight members of the Committee and should be politically balanced in which case the membership would be three members from both the Canvey Island

Independent Party Group and the People's Independent Party Group with two members from the Conservative Group.

The Group leaders will be asked to identify members to serve on the Task & Finish Group.

**6. Corporate Implications**

**(a) Financial Implications**

Cost will be met from existing approved budgets

**(b) Legal Implications**

None to be addressed by this report.

**(c) Human Resources and Equality Implications**

The Task & Finish Group will be supported by officers from Licensing, Legal and Civic Governance

**(d) IT and Asset Management Implications**

There are none to be addressed by this report

**7. Timescale for implementation and Risk Factors**

A report will be made on the outcome of the review to the Licensing Committee in the Autumn.

**8. Background Papers**

Castle Point Hackney Carriage Taxi & Private Hire Policy February 2022

**Report Author:**

Miss Ann Horgan Head of Governance

**AGENDA ITEM NO.4**

**LICENSING COMMITTEE**

**18TH JULY 2023**

**Subject: Petition – Bring Back the Castle Point Knowledge Test**

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**1. Purpose of Report**

To inform the Committee of resubmission of a Petition to bring back the Castle Point knowledge test(for private hire drivers).

**2. Links to Council's Priorities and Objectives**

This links to People.

**3. Recommendations**

**To refer the petition to be considered in the review of the Hackney Carriage Taxi & Private Hire Policy.**

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**4. Background**

A Petition was presented to Ordinary Council in October 2019 to bring back the Castle Point Castle Point knowledge test(for private hire drivers).

At the Cabinet meeting in January 2020 a report was made explaining that no action would be taken to restore the knowledge test for private hire drivers.(The knowledge test for Hackney Carriage drivers is still required.)

The Petition has been resubmitted recently with additional signatures. A number of the signatures are incomplete, and it is not possible to identify some of the signatures. There are no dates as to when the signatures were obtained.

The knowledge test for private hire drivers was removed in November 2016.

**5. Proposals**

Notwithstanding the defects in the petition, the Committee may wish to refer request posed in the petition to be considered as part of the review of the Hackney Carriage Taxi & Private Hire Policy to be undertaken by the Task & Finish Group.

Alternatively the Committee may decide to note the resubmission and take no further action.

**6. Corporate Implications**

**(a) Financial Implications**

None to be addressed by this report

**(b) Legal Implications**

None to be addressed by this report.

**(c) Human Resources and Equality Implications**

The Task & Finish Group will be supported by officers from Licensing, Legal and Civic Governance

**(d) IT and Asset Management Implications**

There are none to be addressed by this report

**7. Timescale for implementation and Risk Factors**

A report will be made on the outcome of the review to the Licensing Committee in the Autumn.

**8. Background Papers**

Minute 46 October 22.10.2019

Minute 76 &report to Cabinet 22.1.2020

**Report Author:**

Miss Ann Horgan Head of Governance