

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Licensing Committee held remotely on
Thursday, 19 November 2020 commencing at 2:30 pm**

Present:

Chair
Vice Chair

Councillor G J Bocking
Councillor E J MacTiernan

and Councillors:

G F Blackwell, C L J Carter, P A Godwin, D W Gray, J W Murphy, P W Ockelton, C Reid,
J K Smith, R J G Smith, C Softley, M G Sztymiak, M J Williams and R J Stanley

LIC.16 ANNOUNCEMENTS

- 16.1 The Chair advised that the meeting was being held under the emergency provisions of the Coronavirus Act 2020 and, specifically, the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020. The meeting was being broadcast live via the internet, it was not being recorded by the Council but, under the usual transparency rules, it may be being recorded by others.

LIC.17 DECLARATIONS OF INTEREST

- 17.1 The Committee's attention was drawn to the Tewkesbury Borough Council Code of Conduct which was adopted by the Council on 26 June 2012 and took effect from 1 July 2012.
- 17.2 There were no declarations of interest made on this occasion.

LIC.18 MINUTES

- 18.1 The Minutes of the meeting held on 13 February 2020, copies of which had been circulated, were approved as a correct record.

LIC.19 LICENSING UPDATE

- 19.1 The report of the Head of Community Services, circulated at Pages No. 5-13, advised Members of the impact of COVID-19 on the licensing service, the need to extend the current hackney carriage tariff and the proposed detailed service review. The Committee was asked to note the impacts of COVID-19; approve an extension to the current Hackney Carriage Tariff until the end of this financial year; and to approve the project plan, as set out in Appendix 1 to the report, which detailed proposals for a full service review.
- 19.2 In terms of COVID-19, the licensing service had been seriously impacted due to significant and long-term sickness within the team which had affected both Officers. Temporary support had been provided by the Environmental Health team but that team was also extremely busy with duties associated with the pandemic, so additional COVID-19 funding had been secured to provide support in the form of two

temporary Licensing Officers who would be in post until the end of the current financial year. There had been no applications for new private hire drivers processed during the initial lockdown period, but that service had recommenced in August when a facility was provided to safely interview applicants within the Council Offices. The number of service requests and applications had dramatically reduced when compared to the same period last year which it was felt had helped the service manage despite being under resourced.

- 19.3 Referring to the Licensing review, the Interim Environmental Health Manager explained that the consultation period for street trading applications had been reduced to five working days in order to assist businesses; that decision had been made in consultation with the Licensing Chair and Vice-Chair and now needed to be revisited which it was intended would be done as part of the wider service review. The licensing service was required to be compliant with the Provision of Services Regulations 2009 to ensure their residents were able to apply for licences and make payments online. Currently, online payments were available on the Council's website but no applications could be made online - the service review planned to implement online applications within the next 6 to 12 months and, as they were rolled out, the capacity required to deliver services would be reviewed. To date, the service had been responsive, largely due to a lack of resources, and the time taken to process paper applications significantly impacted on delivery of the wider service so moving to online applications would be a big step forward in getting the service in shape and fit for purpose.
- 19.4 The project plan, which was attached to the report at Appendix 1, set out the proposals for a full service review, including the transition to a greater online offering, policy refresh and renewal and the examination of locally set fees to be implemented in the financial year 2021/22. The review would also look at staffing requirements, new policy requirements and the enforcement role. Also included, was the review of the Hackney Carriage Tariff charges which, in the first instance, needed to be extended having expired on 31 October 2020.
- 19.5 An audit of the service had been conducted in 2019 and there were some outstanding actions remaining – these needed to be reviewed as set out in Appendix 3 to the report. There were four outstanding actions within the plan which related to changes within the Uniform system and, whilst those had not been dealt with to date, as part of the process to implement online applications, templet processing maps would be prepared within the Uniform system to ensure these were captured and resolved.
- 19.6 During the discussion which ensued, a Member indicated that she had every confidence in the service to implement online applications but she questioned whether taxi licences etc. would be checked on a face to face basis. In response, the Interim Environmental Health Manager explained that, whilst an applicant would apply online, new private hire vehicle drivers and taxi driver licences would still require a face to face interview. Another Member questioned whether the under resourcing of the service had been a contributing factor to the staff absences. In response, the Interim Environmental Health Manager advised that the absences appeared to be linked to a combination of things; some of the work normally done in terms of policy review had not been achieved because of the way the system had been working and this had had an impact on the Officers which had been compounded by the impacts and additional workload of the COVID-19 pandemic. Referring to Appendix 1, a Member questioned what was meant by public registers, and, in terms of Appendix 3, drew attention to four actions that were well overdue and he was concerned that could cause reputational issues for the Council. In response, the Interim Environmental Health Manager indicated that there were a range of licences that were included on the registers; however, those had been taken off the website because the way they were displayed previously included personal information which the Council had no authority to display under GDPR

without having a privacy statement for each type of licence. She was working with the Council's GDPR lead to produce the different statements required and it was hoped they, along with the registers, would be displayed from January 2021. There was also extra work caused by not having the registers published, as when Freedom of Information requests were received, they could not just be directed to the website. In terms of the outstanding actions, the Interim Environmental Health Manager advised that she would be giving them priority and ensure they were put into place.

- 19.7 A Member drew attention to the project plan and questioned who was responsible for the actions and how the red, amber, green categories worked. In response, the Interim Environmental Health Manager explained that the project plan actions were principally all the responsibility of the licensing service but there were other organisations and other parts of the Council involved in some areas e.g. IDOX was providing standardised forms for taxi, private hire drivers and the Licensing Act 2003 and, in addition, through Liberty Creates, the Council's Business Transformation Team would ensure the rest of the licences were prioritised within that platform. It was hoped the needs of the licensing service would be prioritised, but the amount of work needed would mean it would not be implemented until April. In offering an explanation, the Interim Environmental Health Manager advised that where there was a commencement date this was identified in red; where the action was in progress it was amber; and if it was already in place it was green. She had been leading a lot of the work on the action plan but now that additional resources had been brought in, along with the work of the Business Transformation Team, it was felt the permanent members of staff would be able to carry out work on the policies and processing applications. In response to a query, she indicated that the staffing and resources of the service going forward was something that would be considered as part of the service review.

- 19.8 Accordingly, it was

- RESOLVED**
1. That the impacts of COVID-19 on the licensing service be **NOTED**.
 2. That an extension to the current Hackney Carriage Tariff be **APPROVED** until the end of the financial year.
 3. That the project plan, as set out in Appendix 1 to the report, detailing proposals for a full service review, as set out in Paragraph 3.3 of the report, be **APPROVED**.

The meeting closed at 3:10 pm