

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
LICENSING COMMITTEE

Minutes of the Meeting held on 12 December 2024 at 10.00 am

Present:-

Cllr D A Flagg – Chairman

Cllr A Keddie – Vice-Chairman

Present: Cllr A Chapmanlaw, Cllr M Dower, Cllr E Harman, Cllr P Hilliard,
Cllr P Sidaway and Cllr L Williams

Present Virtually: Cllr M Howell

20. Apologies

Apologies for absence were received from Councillors Farquar and Matthews.

21. Substitute Members

There were no substitute members.

22. Declarations of Interests

There were no declarations of interest.

23. Confirmation of Minutes

Resolved that the Minutes of the Licensing Committee on 19 September 2024 and the Licensing Sub-Committees held on 25 September, 3 October and 13 November 2024 be signed by the Chair as an accurate record.

24. Public Issues

There were no public questions, statements, or petitions for this meeting.

25. Consideration of revised Taxi and Private Hire Policies

The Licensing Manager presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book.

The Committee was advised that the Council's current licensing policies for private hire and taxis were adopted in June 2021 following the formation of BCP Council and there were separate driver, vehicle and operator policies. Since implementation there had been changes in best practice guidance and the statutory standards issued by the Department of Transport had

been updated. There was no statutory requirement to undertake a review of the taxi policies, however, the current policy review date was 2025.

The focus of the policies was to protect and safeguard children and vulnerable adults, however all passengers would benefit from the standards required of BCP drivers and operators. The vehicle policy aimed to ensure licenced vehicles were kept maintained and safe so that they did not pose a risk to passengers or other road users.

Workshops had taken place with members, officers and taxi trade representatives and proposed draft policies had been produced for review and agreement by the Licensing Committee. Once approved, the draft policies would be subject to 8 weeks public consultation. Consultation feedback and any proposed amendments would then be presented to the Licensing Committee in 2025 for consideration of the public responses to the consultation.

The Chair welcomed Mr David Lane, representing the Taxi Trade, to the meeting. Mr Lane read out a short statement thanking councillors and officers for their participation in the workshops and preparing the draft policies. Mr Lane asked that the Committee consider receiving an annual report on the level of complaints where vehicle owners/drivers had failed to accept bookings without good reason in relation to wheelchair-accessible vehicles. Finally, Mr Lane advised that once the policies were approved the taxi trade would be pleased to help promote them and urged all taxi users to use a vehicle licensed by BCP Council.

The Licensing Manager and Licensing Officer then led councillors through the amendments to the 'Driver Policy', as detailed in section 17 of the report.

Members discussed section 20.2 and 20.3 in detail (new guidance and information regarding complaint handling and phased approach taken to enforcement). The Licensing Manager explained that all complaints were considered on their own merits and gave various examples of the different types of complaints received. The Licensing Manager explained that the revised policy had strengthened where operators should forward complaints to the Council and more stringent requirements had been set. All complaints were logged on a case management system and a driver's history was taken into consideration.

The Licensing Manager advised that a document had been drafted to reflect how complaints were managed and that this could be circulated to committee members for consideration outside the meeting. The document could form part of the Driver Policy if committee members desired.

The Licensing Manager and Licensing Officer then led councillors through the amendments to the 'Operator's Policy', as detailed in section 19 of the report. The Committee considered all amendments and no changes were made.

The Licensing Manager and Licensing Officer then led councillors through the amendments to the 'Vehicle Policy', as detailed in section 21, 22 and 23 of the report.

The Licensing Manger drew the Committee's attention to section 16.1 of the proposed amendments, which was new wording to reflect 'no unmet need'. It was suggested that the Council remove current quantity restrictions on the number of hackney carriage licences issued in the Poole and Bournemouth Zones. These restrictions historically prevented anyone from applying for a new hackney carriage licence within the zones. The Policy in 2021 released 15 new licences per year in each zone for wheelchair accessible vehicles only and at that time there was a significant waiting list for new licences in both Bournemouth and Poole.

Since 2021, of the 120 new licences made available, 21 new hackney carriages had been licenced and there was currently no waiting list. Everyone who had expressed interest in a new licence had been offered the opportunity but there had been a very low take up. A discussion ensued around wheelchair accessible vehicles. The Licensing Manger explained that currently, all new hackney carriage licences must be wheelchair accessible. Legislation only allowed Councils to dictate that hackney carriage vehicles must be wheelchair assessable.

The Committee felt that it would be beneficial to seek views in the public consultation of whether there was a need for a specific number of wheelchair accessible vehicles and that this should form part of the consultation.

The Committee was advised that the consultation process would commence in early 2025 and that the consultation questionnaire would be issued to councillors for their feedback in advance of it going live.

The Chair advised that he had received correspondence from Cllr Farquhar regarding CCTV in licenced vehicles. The Licensing Manager explained that current policy allowed driver discretion in this matter, it was not mandatory for vehicles to have CCTV installed. If it was made mandatory there would need to be a needs assessment to determine if there was a need for it and provide evidence to support it as there would be a cost to the taxi trade and an impact on licence holders. It was noted that it was the responsibility of the owner of the vehicle to ensure that CCTV was correctly registered with the Information Commissioners Officer (ICO). At the Committee's request the Licensing Manager advised that the 'Licensing Operational Policy' would be updated to ensure that any licensed vehicle with CCTV installed had registered with the ICO.

RESOLVED that

- i. the Committee agree the draft policies as presented;**
- ii. the questions raised by the Committee be included in the consultation process;**

- iii. the consultation document be emailed to Committee Members for feedback prior to the consultation document going live on the BCP website; and
- iv. the 'Licensing Operational Policy' would be updated to ensure that any licensed vehicle with CCTV installed had registered with the ICO.

26. Consideration of revised Scrap Metal Dealer Policy 2025-2030

The Licensing Officer presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'B' to these Minutes in the Minute Book.

The Committee was advised that the current Scrap Metal Dealer Policy 2020-2025 was due for review. The purpose of the Scrap Metal Dealer Policy was to highlight the requirements of the Scrap Metal Dealers Act 2013 by providing guidance to new applicants, existing licence holders, consultees and members of the public on how the Act is administered and enforced. This was a light touch review to refresh the Policy by making minor changes to its contents. Once approved, the final version would be presented to Full Council for ratification.

The Licensing Officer went through the amendments to the policy as detailed at section 10 of the report. The Committee considered the revised policy and no changes were made.

RESOLVED that members agree the draft policy as presented and that the full policy be presented to full Council on 11 February 2025 for ratification.

27. Hush Club Petition

The Licensing Officer presented a report for information only, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'C' to these Minutes in the Minute Book.

Following the submission of a petition signed by more than 2000 valid signatures to Full Council on 15 October 2024, claiming that 'Hush Club' events were under threat and urging the Council to permit the continuation of events at the 'Hush Club', the matter was referred to the Licensing Committee for consideration.

The Committee was advised that BCP Council had not banned events from taking place at the 'Hush Club'. As the 'Hush Club' did not have a premises licence in place, the events had been subject to the Temporary Events Notice (TEN) process and as such the events could continue if future applications were submitted.

Objections to such applications could be submitted by Dorset Police and/or Environmental Health at that time and reference could be made to any

residual concerns from this year's events. Any application would include mediation between the relevant parties.

RESOLVED that the information report be noted.

28. Forward Plan

The Licensing Manager took members through the Forward Plan, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'D' to these Minutes in the Minute Book.

The following updates were provided:

- Update on Sex Establishment Policy – Sophie Sajic, Head of Public Protection, Housing and Communities, attended the Committee to advise that Public Protection Services was operating at a statutory minimum and as a Sex Establishment Policy was non-statutory, it would not be considered at this time as staffing and budget constraints did not allow. If a Sex Establishment Policy was to be pursued it would need Cabinet approval and there would need to be a budget that included the likelihood of a judicial review being sought. Councillors were advised that they would be provided with training and a briefing paper after the next Licensing Committee on 13 March 2025, to assist them with making decisions on SEV applications, and that if the financial resources of the Council changed, the stance on a Sex Establishment Policy could be reconsidered, however, it would not be considered within the budget for the next financial year.

The Vice Chair and Cllrs Dower and Richardson asked for it to be noted that they would like to revisit this in the future.

- Pleasure Boats and Boatperson Licensing Policy – The draft policy would be reconsidered by the Licensing Committee on 13 March 2025 following its postponement.
- Hackney Carriage Tarriff Review – The Trade was no longer seeking a tariff review at this time, so this item was removed from the Forward Plan.
- Review of non-statutory set licensing fees – The Licensing Committee would review the fees for the following licensing processes on 13 March 2025: - Taxi and Private Hire, Scrap Metal, Pleasure Boats and Sexual Establishments.
- Review of Statement of Licensing Policy – The final Policy would be presented to the Licensing Committee for approval on 14 May 2025 for adoption by Full Council on 3 June 2025.
- Review of Statement of Licensing Principles – Gambling Act 2005 – Full Council had ratified the Statement of Licensing Principles –

Gambling Act Policy 2025-2028 at its meeting on 11 December 2005. A full review of the policy would take place in 2025, with full public consultation, once the Gambling Commission released the necessary guidance.

- Review of Hackney Carriage and Private Hire Driver Vehicle and Operator Policies – The Licensing Committee would consider the responses to the public consultation on the draft policies on 18 September 2025.

Committee Briefings and Training Sessions 2025

Training would be delivered on Sex Establishment applications/renewals in person after Committee on 13 March 2025.

RESOLVED that

- Hackney Carriage Tariff Review be removed from the Forward Plan; and**
- Update on Sex Establishment Policy be removed from the Forward Plan**

The meeting ended at 12.25 pm

CHAIRMAN