

**Minutes of a meeting of Licensing Committee  
held on Tuesday, 11th October, 2022  
from 7.00 pm - 7.25 pm**

**Present:** J Dabell (Chairman)  
G Marsh (Vice-Chair)

G Allen  
M Cornish  
B Forbes

J Henwood  
C Laband  
Anthea Lea

J Mockford  
S Smith

**Absent:** Councillors L Gibbs, J Knight, N Walker, R Webb and  
N Webster

**1. TO RECEIVE APOLOGIES FOR ABSENCE.**

Apologies were received from Councillors Gibbs, Knight, Walker, Webb and Webster.

**2. TO RECEIVE DECLARATIONS OF INTEREST FROM MEMBERS IN RESPECT OF ANY MATTER ON THE AGENDA.**

None.

**3. TO CONFIRM THE MINUTES OF THE PREVIOUS MEETING HELD ON 28 JUNE 2022.**

The Minutes of the meeting of the Committee held on 28 June 2022 were approved as a correct record and signed by the Chairman.

**4. TO CONSIDER ANY ITEMS THAT THE CHAIRMAN AGREES TO TAKE AS URGENT BUSINESS.**

None.

**5. STATEMENT OF GAMBLING POLICY.**

Jon Bryant, Senior Licensing Officer introduced the report which updated the Committee on the Draft Gambling Act 2005 (Statement of Licensing Policy) 2023 which was currently out for public consultation. He highlighted that the Policy had been reviewed by the Scrutiny Committee for Community, Leisure, and Parking on 28 September 2022.

The Senior Licensing Officer advised that Section 349 of the Gambling Act 2005 requires Licensing Authorities to prepare and publish a statement of Licensing Policy every three years or as appropriate; the existing Policy is due for re-publication. The Policy does not limit gambling but how the Council applies the Act to protect the public through the licensing objectives: preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support

crime; ensuring that gambling is conducted in a fair and open way; and protecting children and other vulnerable persons from being harmed or exploited by gambling.

The Officer confirmed there has been no substantial changes to the Policy and it has been reviewed in accordance with recent regulatory and legislative changes and statutory guidance. He summarised the premises and organisations currently licensed by the council and highlighted that the Government is currently reviewing the Gambling Act. A white paper is due to be published around October, setting out the conclusions of the review and any potential reforms of the Act; the Council will then amend their policy to incorporate any legislative changes resulting from the Government's consultation.

Members enquired whether any complaints had been received for betting shops or establishments with gaming machines, any permits had been withdrawn and what the triggers were to withdraw a licence.

The Licensing Officer advised that there had been no complaints relating to the gambling act, no permits had been revoked, and if a licence premises holder changes the new licence holder must re-apply for a gaming permit. With regard to triggers each gambling establishment must provide a bespoke risk assessment (RA) and these are checked by the Licensing Team when the premises are inspected to ensure they are complying with the conditions and their current RA. The Licensing Team will revoke the licence or take compliance action if they are not complying with the conditions.

As there were no further questions the Chairman took the Members to a vote on the recommendation which was unanimously agreed.

## **RESOLVED**

That the Committee noted the contents of the Draft Statement of Licensing Policy for Gambling.

### **6. UPDATE TO LICENSING COMMITTEE ON LICENSING OF TAXI AND PRIVATE HIRE VEHICLES.**

Jon Bryant, Senior Licensing Officer introduced the report which updated the Committee following amendments to the Taxi Licensing Policy after adoption of the Statutory Standards and a general update on other ongoing developments. He noted the adoption of the Statutory Standards had introduced several additional checks and requirements to the Licensing Team and the Licensed Trade. These included the rollout of the introduction of CCTV in vehicles, additional 6 monthly DBS checks, and mandatory Safeguarding and Disability Awareness training. He highlighted that from 1<sup>st</sup> October 2022 the Council Vehicle Livery Policy for Hackney and Private Hire Vehicles had come into effect, along with the roll out of MSDC mandated door signage for all licensed vehicles. The Department of Transport last issued the Taxi and Private Hire Vehicle Licensing: Best Practice Guidance in March 2010; they have now consulted on a revision of the guidance and a revision is due soon.

With regard to the Installation of CCTV the Licensing Team have completed the data impact assessment and the specifics of the system has been finalised, identified a range of suppliers / installers to meet the specifications. The list will be sent to the drivers by the end of 2022 with an agreed roll out period. The drivers will have a range of suppliers so they can choose to buy or rent the system, choosing which ever arrangement best meets their financial circumstances.

He advised that the Council would be the data controller for all devices fitted to vehicles licensed by Mid Sussex District Council, footage can only be downloaded at the Council's request. Drivers must now subscribe to the DBS Update Scheme when applying for or renewing their DBS certificate, the Licensing Team are undertaking six monthly checks on all certificates registered with the Update Scheme, this is about 225 certificates. He noted that once all DBS checks have been completed 480 will have to be checked every six months, nearly all drivers have completed their safeguarding training, and if the training is not completed within the deadline the driver's licence will be suspended. He confirmed 12 drivers have not completed the training and they were not currently working as licensed drivers.

The drivers have 12 months to complete the disability training, the council are notified once the training is completed. The take up of the training has been good and if any drivers have not completed the training will not be permitted to driver after the deadline. The livery policy from 1st October requires Hackney Carriages to be white, this helps with enforcement action and the public to identify them. The mandatory door signs were being rolled out, due to the number that have to be installed they are being fitted by appointment, at drop-in sessions and at the ranks; the roll out will be completed in a couple of months. The fare increase agreed by the Committee on 28<sup>th</sup> June 2022 came into effect on 20 September 2022, with the next review due in May 2023. He confirmed some new licence applications had been received hopefully replacing some drivers who have retired. The Unmet Demand Survey is expected from the consultants, LVSA at the end October and it will then be reported to the next committee meeting. The Department of Transport have consulted on the Taxi and Private Hire Vehicle Licensing: Best Practice Guidance, the consultation ended on 28 June 2022 and the results will be reported shortly. He confirmed the guidance is not statutory but is there to assist licensing authorities in performing their functions.

The Chairman thanked the Officer for his comprehensive report.

Members queried who had access to and how quickly the CCTV recordings could be viewed, highlighting requests from the Police which may be out of hours, how quickly would the roll out of CCTV installation be completed, noted the importance of the disability training, and queried the rate of completion.

The Senior Licensing Officer advised as the data controller only the Council could request to download the recordings, as there will be more than one installer drivers will not be able to review footage from their vehicles, and the data will be downloaded onto a disc. Most installers work office hours and when asked the Council will make efforts to obtain the footage as quickly as possible; he did not believe this would hinder any Police investigations. In response to Members questions, he advised there had been no feedback from the public on the recent fare increases, once the CCTV suppliers have been identified the installation of CCTV should be completed within six months, this would give the drivers time to fund it and allow time for all vehicles to be fitted. The disability training started on 1 February 2022 and the drivers had until 31 January 2023 to complete the course, based on the number of certificates received by the office approximately 60% of the drivers had completed the course. In November the Licensing Team will write to drivers who have not completed the training to encourage them to undertake the course. In response to a question from the Vice-Chairman, the Officer confirmed once he was aware the fuel price had dropped below the threshold a communication had been sent to all drivers advising them to stop using the surcharge.

As there were no further questions the Chairman took the Members to a vote on the recommendation which was unanimously agreed.

**RESOLVED**

The Committee noted the report.

**7. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10.2 DUE NOTICE OF WHICH HAS BEEN GIVEN.**

None.

The meeting finished at 7.25 pm

Chairman