

MINUTES
OF A MEETING OF THE
LICENSING COMMITTEE

held on 8 March 2022

Present:

Cllr R N Leach (Chairman)

Cllr M A Bridgeman

Cllr J Brown

Cllr S Dorsett

Cllr D Harlow

Cllr I Johnson

Cllr L M N Morales

Absent: Councillors M Ali, G W Elson and K Howard

1. MINUTES

RESOLVED

That the minutes of the Committee held on 5 October 2021 be approved and signed as a true and correct record.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Howard and Councillor Elson.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. URGENT BUSINESS

There were no items of Urgent Business.

5. REVIEW OF POINTS BASED SYSTEM LIC22-002

The Senior Licensing Officer introduced this item and provided an overview of the penalty points scheme, highlighting the history of the scheme, its purpose and the requirement to review the policy on an annual basis. It was noted that the policy has been used 16 times and that the department had been careful in its use given the impact the pandemic had on the taxi driver trade.

Following a question on the number of offences it was stated that whilst comparative data was not available it was anticipated that when a new policy such as this is actioned there

are likely to be more offences in the first year and it is hoped that in successive years the number of offences would go down.

Members discussed the points allocation, focusing in particular on one case where the points allocated did not, in the view of Members, match the gravity of the offence. The Senior Licensing Officer stated that when the policy was developed this was not an offence that was envisaged and that with the case in question additional action was taken by Surrey County Council and that this combined with the personal circumstances of the driver led to the 6 points being allocated on this occasion. Another case was highlighted where Members did not consider that points were allocated in a manner which matched the nature of the offence and it was noted that with this case there was not sufficient evidence to apply more points. The range of points was discussed and it was noted that it was largely based on best practice from other local authorities. The level of awareness drivers have of the points scheme was discussed and it was stated that it is published on the website and in the handbook. Members discussed the potential for the points penalty for certain offences to be amended to be up to 12 points to give Officers the scope to take more severe action where appropriate and Officers said that they would take this action forward. The Committee discussed amending the wording of an offence and it was agreed that the wording would be amended and instead of the offence being listed as “Failing to behave in a civil and orderly manner being verbally abusive or aggressive to any member of public or driver, or bringing the trade into disrepute” it would instead be listed as “Failing to behave in a civil and orderly manner being verbally abusive or **offensive** to any member of public or driver, or bringing the trade into disrepute”.

A discussion took place on cases where penalty point decisions had been amended on the advice of the Legal Department and it was noted that for the cases in question the decisions were varied as they related to the renewal of taxi licences and the reminder letters had not been sent out to the drivers and therefore the allocation of points was not deemed to be appropriate. It was agreed that in future additional context would be provided where a decision had been varied on the advice of the Legal Department.

Councillor Harlow, the Portfolio Holder, stated that she was pleased that the Licensing Officers were issuing verbal warnings in the first instance and that she was glad to see that there were low levels of re-offending. Thanks were extended to Officers for their work.

RESOLVED

That the Points Based System policy be amended with the following changes:

- I. Replacing the word ‘aggressive’ with the word ‘offensive’ for the offence originally listed as “Failing to behave in a civil and orderly manner being verbally abusive or aggressive to any member of public or driver, or bringing the trade into disrepute’.
- II. Increasing the points allocation for offences relating to school transport vehicles from 6 points to a maximum of 12 points.

The meeting commenced at 7.00 pm
and ended at 7.45 pm

Chairman: _____

Date: _____