



## TO THE CHAIRMAN AND MEMBERS OF THE **LICENSING COMMITTEE**

You are hereby summoned to attend a meeting of the Licensing Committee to be held on Tuesday, 13 March 2018 at 6.30 pm in the Council Chamber, Civic Offices, Gloucester Square, Woking, Surrey GU21 6YL.

The agenda for the meeting is set out below.

RAY MORGAN  
Chief Executive

NOTE: Filming Council Meetings

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## **AGENDA**

### **PART I - PRESS AND PUBLIC PRESENT**

1. Minutes  
To approve the minutes of the meeting of the Licensing Committee held on 23 January 2018 as published.
2. Declarations of Interest  
To receive declarations of disclosable pecuniary and other interests from Members in respect of any item to be considered at the meeting.
3. Urgent Business  
To consider any business that the Chairman rules may be dealt with under Section 100B(4) of the Local Government Act 1972.

### **Matters for Determination**

4. Overview of Licensing 2017-18 (Pages 3 - 10)

AGENDA ENDS

Date Published - 5 March 2018

For further information regarding this agenda and arrangements for the meeting, please contact Doug Davern on 01483 743018 or email [doug.davern@woking.gov.uk](mailto:doug.davern@woking.gov.uk)



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LICENSING COMMITTEE - 13 MARCH 2018

## OVERVIEW OF LICENSING 2017-18

### Executive Summary

Attached as Appendix 1 is a report from the Licensing Team on the work which has taken place during the 2017/18 financial year. Section 1 of the report contains details of projects, section 2 sets out the statistics relating to taxi, licensed premises and temporary event notice activity, and section 3 contains information on the refusals, revocations and suspensions carried out in line with the Local Government (Miscellaneous Provisions) Act 1976.

### Recommendations

The Committee is requested to:

**RESOLVE That** the report be noted.

**The Committee has authority to determine the above recommendations.**

### Background Papers:

None.

### Reporting Person:

Joanne McIntosh, Legal Services Manager  
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Matthew Cobb, Senior Licensing Officer  
Tel: 01483 743650, Email: Matthew.Cobb@woking.gov.uk

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Matthew Cobb, Senior Licensing Officer  
Tel: 01483 743650, Email: Matthew.Cobb@woking.gov.uk

### Date Published:

5 March 2018

LIC18-001

## **Section 1: Projects Summary**

### **Taxi Handbook**

After approximately 8 months and several drafts of work, our new Hackney Carriage and Private Hire Licensing Handbook was adopted in October and published in December (after several more drafts going to and from a design company). The handbook, accessible through the Woking Borough Council website, is a thorough breakdown of every policy and decision making process regarding the Taxi and Private Hire trades setting out current Council policy and practice. It is a 'living document' to enable the inclusion of future policies, such as Child Sexual Exploitation, and has been developed primarily as a reference document for taxi drivers and members of the Licensing Team.

### **PHO Handbook**

A Private Hire Operator Licence Pack has been produced in order to inform existing and new Private Hire Operators of the responsibilities and processes that come with holding a PHO licence. The pack is distributed to existing Operators at the time of their licence renewal, and to new applicants before their application is processed and licence issued. Subjects and conditions covered in the pack include (but are not restricted to) details of charges and criteria relating to new and renewal applications; Private Hire Operator Licence Conditions; Audio and Visual Recording Equipment in Licensed Vehicles; Dispensation Discs - Criteria, Procedure and Conditions; Offences and Enforcement; Safeguarding - Child Sexual Exploitation and Human Trafficking; Criminal Conviction Policy. It is of great importance that licence holders are fully aware of the responsibilities they are taking on as Operators, and familiarise themselves with legislation and information pertaining to the wide range of issues and situations they and those in their employ might face.

### **Criminal Conviction Policy**

We are now beginning to implement our new Criminal Conviction Policy, formed in partnership with Licensing Authorities across Surrey and designed to help prevent the sexual exploitation of vulnerable children and adults by introducing consistent standards towards convictions across Surrey. In effect, once all Licensing Authorities are implementing the policy, it will not be possible for a driver to have a licence revoked or refused in one Borough but approved in another as all Councils will be enforcing the same thresholds and terms. The formation of this policy has involved a substantial amount of work over the past year and was approved by Council on 8 February 2018.

### **Introduction of BTEC**

Following healthy debate, Council agreed the proposal to introduce the requirement of the BTEC Level 2 Certificate 'Introduction to the Role of the Professional Taxi and Private Hire Driver' for both new and existing drivers.

The qualification, aiding continued professional development for those in the trade, is intended to increase public confidence in drivers and develop the professionalism of the service in Woking. The trade have officially been notified of the new requirement.

### **Introduction of CSE Training**

Also approved was the requirement for all new and existing Taxi and Private Hire drivers to undertake Child Sexual Exploitation (CSE) training. This training, provided by Barnardo's, takes the form of an online training session culminating in a multiple-choice test.

Again delivered in partnership with Licensing Authorities across the County this requirement will ensure that all Taxi and Private Hire drivers licensed in Surrey will receive a consistency of training and be educated to the same standard in spotting any signs of CSE and knowing where and how to report anything they are suspicious of. This training is particularly pertinent with increased focus and scrutiny on the role of the Taxi and Private Hire trade in the area of CSE.

### **Best Bar None**

Working in partnership with our colleagues in Business Liaison, and external agencies, we are relaunching Best Bar None after a four year absence. After our first Steering Group meeting roles have been established and a strategy has been initiated for the engagement of licensed premises. Categories for awards, along with assessment criteria have been agreed and we are now looking forward to the official launch event to begin the application process. We are hoping that the increased restaurant trade in Woking since 2014 will be reflected in the applications. More details, including some initial communications design work, are included in the attached report.

## Section 2: Stats and Figures

The following figures are taken for the financial year, 1 March 2017 to the 27 February 2018.  
(Information correct as of the 27<sup>th</sup> of February 2018)

Current number of licenced drivers	<b>749</b>
Current number of licenced vehicles	<b>723</b>
Number of Driver applications received:	<b>316</b>
Number of Driver Licences issued:	<b>277</b>
Number of Vehicle Applications received:	<b>820</b>
Number of Vehicle Licences issued:	<b>816</b>
Number of Operator Applications received:	<b>76</b>
Number of Operator Applications issued:	<b>75</b>
Current number of Licenced Premises (inc. Clubs)	<b>300</b>
Current number of Personal Licences issued	<b>1176</b>
Number of Personal Licences issued:	<b>65</b>
Percentage of Personal Licences issued within the statutory timeframe:	<b>100%</b>
Number of new Premises Licences issued:	<b>13</b>
Percentage of Premises Licences issued within the statutory timeframe:	<b>100%</b>
Number of Premises Licence variations and transfers:	<b>84</b>
Percentage of Premises Licence variations and transfers issued within the statutory timeframe:	<b>100%</b>
Number of Temporary Event Notices' received:	<b>272</b>
Percentage of Temporary Event Notices issued within the statutory timeframe:	<b>100%</b>

## Section 3: Refusals, Revocations and Suspensions

The following information gives a summary of the refusals, revocations and suspensions that have taken place between the 1<sup>st</sup> of March 2017 and the 28<sup>th</sup> of February 2018. All of these refusals, revocations or suspensions were carried out in line within the confines of the Local Government (Miscellaneous Provisions) Act 1976.

### Reference: 004034

**Date:** 15/03/2017

**Information:** Video and photograph evidence shows driver using a mobile phone (watching a video?) whilst transporting a minor under Surrey County Councils School Runs Scheme.

**Outcome:** Licence revoked under the grounds of being not fit and proper (driving without due care and attention.)

### Reference: 003185

**Date:** 28/03/2017

**Information:** Driver caught as part of a sting operation by Licensing Authority and was found to be driving a car for hire and reward whilst not in possession of a valid driver or vehicle licence.

**Outcome:** Successfully prosecuted at Guildford Magistrates Court.

### Reference: 004035

**Date:** 06/04/2017

**Information:** Disclosure and Barring Service Certificate showed twelve convictions for nineteen offences and one caution for one offence.

**Outcome:** Application Refused on grounds of not fit and proper (as per Criminal Convictions Policy)

**Appeal:** Appealed WBC Decision. Guildford Magistrates Court found WBC's decision to be correct.

### Reference: 004048

**Date:** 05/05/2017

**Information:** Numerous forms the applicant had completed turned out to contain false information. This included providing false information on a Disclosure and Barring Service Application Form.

**Outcome:** Application Refused on grounds of repeatedly providing false information on official documents. Failed to show honesty and therefore was not fit and proper.

**Reference: 003187**

**Date:** 31/05/2017

**Information:** Home Office Evidence showed applicant has no right to work in the UK.

**Outcome:** Licence Revoked

**Reference: 003188**

**Date:** 31/05/2017

**Information:** Home Office Evidence showed applicant has no right to work in the UK.

**Outcome:** Licence Revoked

**Reference: 003189**

**Date:** 31/05/2017

**Information:** Home Office Evidence showed applicant has no right to work in the UK.

**Outcome:** Licence Revoked

**Reference: 003190**

**Date:** 31/05/2017

**Information:** Home Office Evidence showed applicant has no right to work in the UK.

**Outcome:** Licence Revoked

**Reference: 003384**

**Date:** 04/07/2017

**Information:** Has received three separate allegations from three separate female fare paying passengers of sexual assault.

**Outcome:** Revoked on grounds of not fit and proper.

**Appeal:** Appealed WBC Decision, Guildford Magistrates Court found WBC decision to be correct.

**Reference: 003294**

**Date:** 13/07/2017

**Information:** Medical Assessment from G.P. shows driver not medically fit to drive.

**Outcome:** Licence Revoked

**Reference: 003394**

**Date:** 07/08/2017

**Information:** Medical Assessment from G.P. shows driver not medically fit to drive.

**Outcome:** Licence Revoked

**Appeal:** Appealed WBC Decision, Guildford Magistrates Court found WBC decision to be correct.

**Reference: 004232**

**Date:** 10/08/2017

**Information:** Was found to be operating a private hire company without a valid licence. Furthermore, was stopped by Surrey Police carrying passengers without a valid vehicle or driver licence.

**Outcome:** Application refused, and successfully prosecuted at Guildford Magistrates Court.

**Reference: 003606**

**Date:** 06/12/2017

**Information:** Driver was successfully prosecuted by Guildford Borough Council for plying for hire (i.e. they are a Private Hire Driver and picked up a passenger without a booking in the Guildford Town Centre).

**Outcome:** Licence revoked.

**Reference: 004301**

**Date:** 07/12/2017

**Information:** Disclosure and Barring Service Certificate shows eighteen convictions for thirty-six offences.

**Outcome:** Application Refused under grounds of not fit and proper (in line with Criminal Conviction Policy)

**Reference: 004722**

**Date:** 28/02/18

**Information:** Disclosure and Barring Service Certificate shows two convictions for three offences and one caution for one offence.

**Outcome:** Application refused under grounds of not fit and proper (in line with Criminal Conviction Policy)

