

**Report for: Regulatory Committee**

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Date of Meeting:	27 June 2025
Subject:	<b>REGULATORY UPDATE REPORT</b>
Cabinet Member:	Cllr David Wulff Cabinet Member for Quality of Living, Equalities and Public Health
Responsible Officer:	Simon Newcombe Head of Housing and Health
Exempt:	No
Wards Affected:	All wards
Enclosures:	None

**Section 1 – Summary and Recommendation(s)**

To provide the Committee with an update of the regulatory activity as applicable to the Regulatory Committee undertaken by the Licensing Team during 2024/25.

To provide an overview of delegated policy changes made to update the Hackney Carriage and Private Hire Policy 2025 during quarter 4 of 2024/25 and most recently in quarter 1 of 2025/26.

**Recommendation:**

- 1. That the Regulatory Committee note the report**

**Section 2 – Report**

**1 Introduction**

- 1.1 This report provides an overview of the activity carried out by the Licensing Team during 2024/25 as applicable to the Regulatory Committee. Therefore, in respect of the following: Hackney Carriage and Private Hire licensing; animal

licences such as animal boarding, pet shops, riding establishments, dangerous wild animals; caravan sites; and the registration of acupuncturists and tattooists.

## **2 Service Delivery**

### **Hackney Carriage and Private Hire**

- 2.1 The revised Taxi Policy went live 1<sup>st</sup> January 2025. An update relating to implementation of the Policy can be found at section 4 of the report.
- 2.2 During 2024/2025 the team dealt with Hackney Carriage and Private Hire licensing applications as detailed below - () shows the variance on past year:

	Total number of licences as 31/03/2025	No. new applications and renewals processed 2024/25	No. cancelled or surrendered licences 2024/25
Hackney Carriage Vehicle licence	53 (-19%)	65	0
Private Hire Vehicle licence	70 (+3%)	80	0
Private Hire Operator licence	22 (+29%)	12	0
Combined Hackney Carriage and Private Hire Driver licence	134 (-8%)	67	2

- 2.3 There has been a significant decrease in the number of Hackney Carriage Vehicle licences. We are aware that some licence holders have changed vehicles at renewal from Hackney Carriage to Private Hire vehicles. It is worth noting that the licence is annual and that under the new policy vehicles being renewed do not need to meet ULEZ compliance until 2027, so it is unlikely these are contributing factors presently.
- 2.4 The significant increase in Private Hire Operators is linked to the change in number of Hackney Carriage vehicles, to Private Hire, as even a single vehicle operator needs a licence for a Private Hire journey to take place.
- 2.5 27 Taxi inspections were undertaken in 2024/25. This is lower than previous years due to resources, as well as a conscious decision to delay inspections during the second half of the year so that vehicles could be inspected under the new policy requirements.

### **Animal Welfare**

- 2.6 The Team are responsible for licencing animal related establishments. This can range from dog breeding through to zoos. There are 48 animal related licenses in total that relate to the following activities - () variance since last report:

Type of activity	Number of licences
Cat/dog boarding	16 (+4)
Home boarding	4 (-2)
Day care	3 (0)
Dog breeding	16 (+1)
Hiring out horses	4 (0)
Pet shops	3 (0)
Exhibition of animals	1 (0)
Dangerous wild animals	1 (+1)
Total	48

- 2.7 In 2024/25 the team processed 28 new and/or renewal applications which included an inspection of the establishment to check animal welfare and adherence to licence conditions.

### **Specified beauty treatments**

- 2.8 These are covered by the Local Government (Miscellaneous Provisions) Act 1982, including tattooing, piercing, electrolysis and acupuncture. Officers from Licensing work closely with officers from the Food and Health and Safety team to administer these licences. This is due to the risks associated with these activities and the need for health and safety and infectious disease considerations.
- 2.9 Total figures for premises and personal registrations in place across the District, including a breakdown for 2024/25.

	Total as 31/03/2025	New for period
Acupuncture premises	19	0
Acupuncture personal	18	1
Piercing premises	17	1
Piercing personal	21	1
Micro needling Premises	1	1
Micro needling Personal	1	0
Electrolysis premises	6	0
Electrolysis personal	2	0
Tattooing premises	38	3
Tattooing personal	38	3
<b>Total</b>	<b>161</b>	<b>9</b>

- 2.10 The wider Public Health team participated in a regional sampling study involving samples from tattoo and piercing premises, to check for general hygiene

standards in relation to infection control measures, and specifically looking for a microorganism *Pseudomonas aeruginosa*, the results are summarised below.

- 2.11 *Pseudomonas aeruginosa* is a common bacterium found in the environment, particularly in soil and water. While it can exist harmlessly on the skin, it can also cause serious infections, especially in individuals with compromised immune systems. It is resistant to many commonly-used antibiotics therefore can be difficult to treat.
- 2.12 Common symptoms of a *Pseudomonas aeruginosa* infection include fever, skin infections and respiratory symptoms.
- 2.13 19 samples were taken from 3 premises.
- 2.14 *Pseudomonas aeruginosa* was found in one of the premises, with 3 of the samples failing.
- 2.15 Officers provided advice and guidance to the operator on cleaning practices and disinfection. Re-sampling was then carried out which came back satisfactory indicating that standards had improved.

### **Staffing update**

- 2.16 The staffing situation within the team remains challenging, with a number of changes throughout the year. During quarter 1, the service manager will review the vacancies as a priority and will seek to address these ongoing recruitment challenges.
- 2.17 Where possible, resources required to provide statutory licensing functions will be met from changes to the licensing fees, however some fees, notably those covered by the Regulatory Committee functions have wider flexibility to be set locally in comparison with Licensing Act 2023 where these are set down in Regulations issued the Secretary of State. Nonetheless, fees can only be set on a cost-recovery basis in order to cover the cost of service delivery and are therefore non-profit rather than wholly discretionary fees.

## **3 Enforcement and Hearings**

### **Hearings**

- 3.1 Three Regulatory Sub-committee hearings were conducted during the 2024/25 year:
  - 1. Consideration of a licenced driver remaining fit and proper to hold said licence. The outcome of the hearing was that the penalty points were issued, along with a warning and a requirement to carryout additional training.

2. Consideration of a licenced driver remaining fit and proper to hold a licence. The outcome was revocation of the licence.
3. Consideration of a new driver application, to determine if the applicant is fit and proper for the purposes of being issued a Hackney Carriage and Private Hire driver licence. The outcome of the hearing was that the licence was not granted.

#### **4 Update on the Hackney Carriage and Private Hire Policy 2025**

##### **Training update**

- 4.1 The new policy requires Safeguarding and Disability Awareness training is completed every 3 years by licence holders. Face to face sessions have been run from the Council office to assist licence holders to comply with new policy requirements. 65 licence holders have attended so far.

##### **Policy changes**

- 4.2 A minor change to the policy was made under delegated authority shortly after the policy came into effect. The change related to the use of a third row of seats in licenced vehicles. An unintended consequence of policy changes made it impossible to licence these seats. This would have had a significant impact on the Taxi trade within Mid Devon, as well as school transport within the County, as a lot of these vehicles are used for this purpose. As a result, as soon as we became aware of this issue, we took swift action to make the necessary change without compromise to passenger safety,
- 4.3 A further change has been made under delegated authority, to remove the detailed tables relating to the use of child restraints and seat belts within licenced vehicles. This will be replaced with links to the gov.uk web pages which contains the primary information and legislation relating to this area.

##### **Specific size requirements for cabs**

- 4.4 Since implementation of the new policy and vehicles being inspected against the criteria of the new policy, it has become apparent that a number of vehicles do not meet the exact dimensions that the policy specifies for the size of the cab. This is despite the vehicles meeting the type approval requirements of the UK Vehicle Certification Agency at point of manufacture and first sale.
- 4.5 Furthermore, when considering the history of these vehicles, there has been no complaint against the vehicles from passengers relating to comfort and space within the vehicles.
- 4.6 An enforcement position was agreed in January with Head of Housing and Health, that we would not enforce this element of the policy and use this time to understand the issue we are trying to resolve.
- 4.7 The review has now been completed resulting in further amendment to the policy, to enable the general assessment of the sizing within the cab to be more

of a subjective assessment of space and comfort. We would take the measurements out of the policy as an absolute, but continue to use them as a guide in the event that we receive complaints relating to vehicle comfort. This change is again one which does not compromise passenger safety and has also been made under delegated authority.

### **Tariff review**

- 4.8 A review of the tariff has been requested, and a piece of work will be initiated during 2025/2026 to establish if the wider trade wishes for a review. The review will take place subject to the outcome of the assessment. This is a significant piece of work that will require dedicate resource allocation.

### **Caravan site Licencing**

- 4.9 A project is planned to take place during the 2025/26 year to review the Licencing approach to residential caravan sites. This will be a joint piece of work between Licensing and Environmental Health and will look at introducing an annual inspection of licenced sites, and well as consideration to introduce an annual licence fee from April 2026. Site inspection would be carried out jointly by Licensing and Housing officers.

**Financial Implications:** All licences for the areas mentioned above have a charge associated with them. As opposed to licensing functions that come under Licensing Act 2003/Gambling Act 2005 (Licensing Committee), these charges are set locally and reviewed on an annual basis. In some cases these are subject to statutory consultation processes. These must all be calculated based on the resource required to meet statutory obligations in issuing the license and regulating the licenced activity on a non-profit basis. The income from the licences is therefore used to offset the running of the Service. The Service is not self-funding overall as some of the fees are set at a national level (Licensing Act 2003 and Gambling Act 2005) and therefore do not fully cover costs but makes a significant contribution towards its costs within the general fund.

**Legal Implications:** There are various regulations that govern the range of applications administered by the Licensing Team. These detail a range of duties and statutory deadlines, as well as policy and procedural requirements.

**Risk Assessment:** Provision of the licensing service is statutory obligation. If resources for the Team are not available there is a risk that the Council is unable to meet its statutory duties in relation to licensed activities. This would put the health and safety of residents at risk if they accessed a service that did not meet licensing standards. This is a particular concern in respect of taxis and the beauty industry. Animal welfare is also at risk if the Council was unable to conduct regular checks of these establishments.

**Impact on Climate Change:** There is no direct impact on climate change as a result of this report.

**Equalities Impact Assessment:** An equality impact assessment is not required in respect of this update report.

**Relationship to Corporate Plan:** This report links directly to the Licensing Authority functions of the Council with the primary aim of protecting public safety and ensuring the well-being of our community and licensed service users. It therefore contributes to the priority of Community, People and Equalities within the Corporate Plan.

### **Section 3 – Statutory Officer sign-off/mandatory checks**

**Statutory Officer:** Andrew Jarrett  
Agreed by or on behalf of the Section 151  
**Date:** 11 June 2025

**Statutory Officer:** Maria de Leburne  
Agreed on behalf of the Monitoring Officer  
**Date:** 11 June 2025

**Chief Officer:** Stephen Walford  
Agreed by or on behalf of the Chief Executive/Corporate Director  
**Date:** 11 June 2025

**Performance and risk:** Steve Carr  
Agreed on behalf of the Corporate Performance & Improvement Manager  
**Date:** 09 June 2025

**Cabinet member notified:** Yes

### **Section 4 - Contact Details and Background Papers**

**Contact:**

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**Background papers:** None.