



Oversight and Governance

Chief Executive's Department
Plymouth City Council
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Published 19 January 2024

CITY COUNCIL

Monday 29 January 2024
2.00 pm
Council House, Plymouth

Members:

Councillor Shayer, Chair

Councillor Ms Watkin, Vice Chair

Councillors Allen, Aspinall, Mrs Beer, Bingley, Blight, Briars-Delve, Mrs Bridgeman, Carlyle, Coker, Dr Cree, Cresswell, Dann, Darcy, Dingle, Evans OBE, Finn, Gilmour, Goslin, Harrison, Haydon, Hendy, Holloway, Hulme, Krizanac, Laing, Loveridge, Lowry, Luggar, Dr Mahony, McLay, McNamara, Moore, Murphy, Nicholson, Noble, Partridge, Patel, Penberthy, Penrose, Poyser, Raynsford, Reilly, Rennie, Ricketts, Salmon, Smith, Sproston, Stephens, Stevens, Stoneman, Tippetts, Tofan, Tuffin, Tuohy and Wakeham.

Members are invited to attend the above meeting to consider the items of business overleaf.

You can watch any of our webcast meetings on [YouTube](#). For further information on attending Council meetings and how to engage in the democratic process please follow this link - [Get Involved](#)

Tracey Lee

Chief Executive

City Council

Agenda

1. Apologies

To receive apologies for absence submitted by councillors.

2. Minutes

(Pages 1 - 22)

To approve and sign the minutes of the meetings held on 20 November 2023 as a correct record.

3. Declarations of Interest:

4. Council Proportionality January 2024

(Pages 23 - 28)

The Assistant Chief Executive will submit a review of proportionality following changes to political groups.

5. Questions by the Public

To receive questions from and provide answers to the public in relation to matters which are about something the council is responsible for or something that directly affects people in the city, in accordance with Part B, paragraph 11 of the Constitution.

Questions, of no longer than 50 words, can be submitted to the Democratic Support Unit, Plymouth City Council, Ballard House, West Hoe Road, Plymouth, PL1 3BJ, or email to democraticsupport@plymouth.gov.uk. Any questions must be received at least five complete working days before the meeting.

6. Announcements

(a) To receive announcements from the Lord Mayor, Chief Executive, Service Director for Finance or Head of Legal Services;

(b) To receive announcements from the Leader, Cabinet Members or Committee Chairs.

7. Council Tax Base Setting 2024/25 and Council Tax Support Scheme 2024/25:

(Pages 29 - 36)

8. Council Tax Discounts and Premiums:

(To Follow)

9. Proposed amendments to the Hackney Carriage and Private Hire Licensing Policy 2022 in relation to Livery and Topographical Knowledge of Plymouth test:

(Pages 37 - 126)

10. **Licensing Act 2003 – Statement of Licensing Policy 2024 - 2029:** (Pages 127 - 188)
11. **Stage Two - Constitutional Changes:** (Pages 189 - 240)
12. **Electoral Cycle Consultation:** (Pages 241 - 246)
13. **Appointment of Statutory Officers (Monitoring Officer and s151 Officer):** (Pages 247 - 250)
14. **Pay Policy Statement 2024/25:** (Pages 251 - 268)
15. **Committee Calendar:** (To Follow)

16. Motions on notice

To consider motions from councillors in accordance with Part B, paragraph 14 of the Constitution.

17. Questions by Councillors

Questions to the Leader, Cabinet Members and Committee Chairs covering aspects for their areas of responsibility or concern by councillors in accordance with Part B, paragraph 12 of the constitution.

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City Council

Monday 20 November 2023

PRESENT:

Councillor Shayer, in the Chair.

Councillor Ms Watkin, Vice Chair.

Councillors Allen, Aspinall, Mrs Beer, Bingley, Blight, Briars-Delve, Mrs Bridgeman, Carlyle, Coker, Dr Cree, Cresswell, Dann, Dingle, Evans OBE, Finn, Gilmour, Goslin, Harrison, Haydon, Hendy, Holloway, Hulme, Krizanac, Loveridge, Lowry, Lugger, Dr Mahony, McLay, McNamara, Moore, Murphy, Nicholson, Noble, Partridge, Patel, Penberthy, Penrose, Poyser, Raynsford, Reilly, Rennie, Ricketts, Salmon, Smith, Sproston, Stephens, Stevens, Stoneman, Tippetts, Tofan, Tuffin, Tuohy and Wakeham.

Apologies for absence: Councillors Darcy and Laing

The meeting started at Time Not Specified and finished at Time Not Specified.

Note: The full discussion can be viewed on the webcast of the City Council meeting at www.plymouth.gov.uk. At a future meeting, the Council will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

44. **Declarations of Interest**

No declarations of interest were made.

45. **Appointment of Honorary Alderwoman**

Councillor Evans OBE introduced the nomination of Mrs. Susan McDonald to receive the title of Honorary Alderwoman status. The motion was seconded by Councillor Andy Lugger.

Council agreed unanimously that, in pursuance of its powers under Section 249(1) of the Local Government Act 1972, the Council confers on Mrs Susan MacDonald, the title of Honorary Alderwoman in recognition of services to the Council of the said City during the period when they were a Member of the Council.

The Lord Mayor, on behalf of Council, offered his congratulations to Mrs. Susan McDonald, who accepted their medals and scrolls and gave short speeches.

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City Council

Monday 20 November 2023

PRESENT:

Councillor Shayer, in the Chair.

Councillor Ms Watkin, Vice Chair.

Councillors Allen, Aspinall, Mrs Beer, Bingley, Blight, Briars-Delve, Mrs Bridgeman, Carlyle, Coker, Dr Cree, Cresswell, Dann, Dingle, Evans OBE, Finn, Gilmour, Goslin, Harrison, Haydon, Hendy, Holloway, Hulme, Krizanac, Loveridge, Lowry, Lugger, Dr Mahony, McLay, McNamara, Moore, Murphy, Nicholson, Noble, Partridge, Patel, Penberthy, Penrose, Poyser, Raynsford, Reilly, Rennie, Ricketts, Salmon, Smith, Sproston, Stephens, Stevens, Stoneman, Tippetts, Tofan, Tuffin, Tuohy and Wakeham.

Apologies for absence: Councillors Darcy and Laing

The meeting started at 14.03 and finished at 19.03.

Note: The full discussion can be viewed on the webcast of the City Council meeting at www.plymouth.gov.uk. At a future meeting, the Council will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

46. **Minutes**

The minutes of the meetings held on 18 September 2023 were agreed as a correct record.

47. **Declarations of Interest**

The following declarations of interest were made by councillors in accordance with the code of conduct in respect of items under consideration at the meeting -

Name	Item Number	Reason	Interest
Christopher Penberthy	11a	Pecuniary	Board Member of PEC Chemicals

48. **Appointments to Committees, Outside Bodies etc.**

There were no changes or appointments to committees, outside bodies etc. which required the consideration of Council.

49. **Questions by the Public**

The following question was submitted by Greg Black:

Question: Some residents in this city are on the cusp of being considered mentally competent to make decisions and care for themselves. Meaning these	Response: We understand that it is a worrying time for families and individuals when a loved one appears to become unwell or seem unable to make
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<p>people are very vulnerable and at risk or harm or self neglect. How does the council support these people and what support is there for them?</p>	<p>decisions for themselves. This can be caused by many factors, including their physical or mental health. It can mean they struggle to make decisions about their health or care needs, or their finances. We know that having the capacity to make decisions is not fixed and for some people does change and fluctuate depending on how well they are at the time.</p> <p>The Mental Capacity Act 2005 (known as the MCA) is the legislation that sets out how we should approach assessments in these circumstances. The MCA starts with the assumption that people have the capacity to make decisions for themselves and sets out the process when there is a need to challenge that fundamental assumption. There are a range of health and social care professionals that carry out Mental Capacity Act Assessments (MCA). These are grounded in our best understanding of people's needs and wishes. Often people are supported by family and friends through this process.</p> <p>We do also have support for people who are going through this process via advocacy services like those provided by the Highbury Trust. We have support for the family or friends of the person via our carer's services, which are provided by Improving Lives Plymouth and also support and advice available from other VCSE partners including Age UK.</p>
<p>The following question was submitted by Chaz Singh:</p>	
<p>Question: After the horrific fire at Luton Airport have PCC carried out their own fire and risk assessments for their multi storey and ground level car parks owned by them. Can you provide these and when they were carried out?</p>	<p>Response: Thank you for your question.</p> <p>All Council car parks are subject to risk assessments. These risk assessments review a wide range of risks and hazards alongside the measures that are in place to mitigate risk, for the purpose of helping</p>

	<p>to keep people safe. Risks assessments are reviewed at least annually, and additionally upon any occasion that a car park may be subject to a change or where we may have had a report of a near miss or accident.</p> <p>These risks assessments include checks such as the operation of fire doors and that access and egress routes are clear.</p> <p>Risk assessments can be updated at any time where, at the time of writing, the last risk assessment was reviewed and updated on 21st October 2023. We can provide you access to any of the car park risk assessments that you would like to see.</p>
<p>The following question was submitted by Saranjit Kaur:</p>	
<p>Question: Can the council confirm who will pay any additional costs if there is an increase to the amended plans for Armada Way after the consultation by ECF and when detailed scale plans will be available?</p>	<p>Response: Thank you for your question. Once the design for Armada Way scheme is agreed, following consideration of the response to the consultation, the City Council will evaluate the overall financial impact and determine the best sources of funding to enable the scheme to proceed.</p> <p>In relation to the provision of scaled plans, considerable detail is already set out in the plan and supporting documents that form part of the current consultation.</p>
<p>The following question was submitted by Grace Strickland</p>	
<p>Question: Electric vehicles bring additional safety concerns in relation to Plymouth's Multi Storey Car Parks. Can the council advise if any surveys have been undertaken including, new fire risks and other associated risk assessments regarding electric vehicles using the car parks to reassure residents the car parks are safe to use?</p>	<p>Response: Thank you for your question.</p> <p>Whilst we understand there has been some focus of attention on electric vehicles following the tragic fire at Luton airport, it is worth pointing out that this fire started with a diesel-powered vehicle, which Bedfordshire's Chief Fire Officer then advised 'quickly and rapidly spread'.</p>

	<p>There is a range of new and emerging guidance coming out in relation to car park design and fire safety guidance for electric vehicles, and Plymouth City Council will review all this information as it becomes available and consider how this can help inform how we deliver such services.</p> <p>All of our car parks are subject to regular risk assessments which, in the case of fire safety, include looking at areas such as ensuring pedestrian routes remain clear and fire doors are routinely inspected. Following the Luton car park incident, we have had further inspections by the Fire Brigade, all helping to ensure we can continue to provide safe parking.</p>
<p>The following question was submitted by Kevin Treweeks.</p>	
<p>Question: Given the appalling collective punishment being inflicted on the people of Gaza by the Israeli military and the complicity in this by western arms industries facilitated by Barclays Bank. Will Council take a stand for peace and divest from Barclays before the Government removes its discretion to take ethical decision?</p>	<p>Response: Thank you, Mr Treweeks, for your question and we are very mindful of the situation.</p> <p>In terms of the practical question of PCC's relationship with Barclays Bank. I would like to assure you we do not hold investments with the bank. We do use Barclays for our day-to-day banking requirements, but this does not extend to direct investments.</p> <p>The banking sector, available to large organisations such as this authority, is very narrow given our need to protect taxpayers' money.</p> <p>We have limited divestment options as Barclays mainly provides day to day banking under a previously agreed contract and we hold no long-term investments with Barclays. Short term investment through use of a Barclays Premium Account is used to manage our immediate liquidity to cover any ad hoc emergency or one-off payment and this account is generally limited to <£1m. We are always mindful of our</p>

	<p>need to ensure the Councils approach to the delivery of services is an ethical one and this will of course continue to be the case.</p>
<p>The following question was submitted by George Wheeler:</p>	
<p>Question: My question is about three bus shelter sites in-bound on Victoria Road, St Budeaux. The DeCaux shelters at Row Lane and Verna Road have been removed. When will Clear Channel replace them and can you say why the Clear Channel shelter at Evelyn Street has no seating, please?</p>	<p>Response: The Row Lane bus shelter will not be replaced with a Clear Channel shelter but has instead been replaced with a bus stop pole and flag.</p> <p>The shelter to the north of the Verna Road junction is currently programmed for replacement in February 2024. We are aware that the old shelter was removed in October, and the team are therefore working with Clear Channel to see if installation of the new shelter can be brought forward in the programme, although this cannot be guaranteed at this stage.</p> <p>The inbound shelter to the north of Evelyn Street has not yet been replaced and the original JCDecaux shelter is still in situ. The seating had to be removed as a result of vandalism, to prevent injury to users of the shelter. Given the JCDecaux contract had ended, replacement seating was not an option in the old shelter. There are currently no dates programmed for either the removal of the old shelter or installation of the new one, but when the new one goes in, bench style seating will be provided at this location.</p>
<p>The following question was submitted by Dave Cann:</p>	
<p>Question: In Peverell two Street signs have been removed one in Meredith Road the other Beauchamp crescent both streets off outland road. Can someone clarify if this is temporary or permanent?</p>	<p>Response: Beauchamp Road – street sign was removed the week of 20th July 2022. The sign was on the left-hand side as you look into Beauchamp Road from Outland Road. Due to the flow of traffic, a sign was required on the right-hand side rather than the left-hand side, a new sign was made up and put on the railings instead.</p> <p>The Meredith Road street-sign was</p>

	<p>removed the week of 5th June 2023. It was reported as broken so naturally removed for safety reasons. There is a 'Meredith Road' street sign on the opposite side, which is more visible to traffic approaching from Elphinstone Road via Montpelier Road. The City Council's protocol is to ensure at least one street nameplate exists at a junction that is not part of the major network. Neighbouring streets, Belair Road and Onslow Road each have a single street nameplate at their junctions with Elphinstone Road.</p>
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50. **Announcements**

Councillor Mark Shayer (The Lord Mayor of Plymouth) made the following announcements:

- a) Reported with sadness the passing of the former Lord Mayor and former Labour Councillor, Alderman Michael Wright, who passed away on Saturday 28 October 2023. Alderman Michael Wright served as a Councillor for 18 years and called for one minute of silence in remembrance.
- b) Reported with sadness the untimely death of Carol Blackburn (A.K.A Carol Toms) and called for one minute of silence in remembrance. Carol Blackburn was a past Councillor for the St Budeaux ward of the city and served on the Council between 2000-2006.
- c) Congratulated City College Plymouth. The institution had been awarded the prestigious Queen's Anniversary Prize; recognised as the highest national honour in the sector, the Queen's Anniversary Prizes are part of the UK's national Honours system, acknowledging the outstanding work of UK colleges and universities which show excellence, innovation and the delivery of real benefits to the wider world.
- d) Congratulated apprentice Molly Blagden, who had been crowned Level 2 Autocare Apprentice of the Year by Exeter College.
- e) Congratulated Social Worker Charlie Mason who had won the Silver Award in the Team Leader of the Year, Adult Services category of Social Worker of the Year Awards award in recognition of her extraordinary practice and leadership.
- f) Announced that The Platinum Parkway (Forder Valley Link Road) had been named 'New Build Project of the Year' in the 'over £8m' category of 2023's Institute of Civil Engineering South-West Civil Engineering Awards, which recognised outstanding achievement, innovation, and ingenuity.

Councillor Tudor Evans OBE (The Leader of the Council) made the following announcements:

- g) A letter had been received provisionally awarding £19 946 417 in 'Levelling- Up "3" funding'. The funds would be allocated towards marine innovation, including "innovation barns" and "Ocean's Gate" projects as well as the modernisation of port infrastructure at Millbay. This would include a move towards 'shore power' with the aim for the PCC to attain 'net zero' carbon emissions by 2026 instead of 2030. This money would need to be spent by 2026 and would enable greater access for jobs and raise the aspirations of young people to enter into marine employment.
- h) During the week commencing 12th November 2023, a £7.5 Million bid had been won for Innovate UK's "national innovation launchpad" through a partnership of Plymouth City Council, Plymouth University and the Freeport.
- i) The Economic Development team, working with Plymouth University, had organised, and had successfully convened, the "FLOW Conference"- Plymouth's first ever offshore floating wind conference on 30th October. This builds on the work Plymouth City Council had conducting on the city's port strategy to make Plymouth a centre for decarbonisation.
- j) The National Heritage Fund Lottery 'round two visit' had taken place during the week commencing 12th November 2023. Further funds would be applied for in the future on the advice of the aforementioned Lottery.
- k) A deal with "Live Nation", The UKs biggest outdoor live music promoter, had been brokered for a four-day music festival on the hoe in 2024. There is a strong potential this would be extended for four further years and then a subsequent five years.
- l) Destination Plymouth had produced the following statistics: *"In 2023 we have so far reached a global audience of 2.5bn valued at an advertising value of £62m. This compares to 650m audience and £18m advertising value in 2022."*
- m) The Box has had 660,000 Visitors since its opening until a recent date, which was far ahead of target, as well as 11,000 during half term; a 20% increase on last year's figures.
- n) The Box had hosted a summer programme celebrating Sir Joshua Reynolds which had included a new film by John Akomfrah as well as the return of Westward Television Mascot 'Gus Honeybun' accompanied by comedians Joshua Widdicombe and Nish Kumar. A public arts installation at the Civic Centre by Sir Ben Okri OBE had also been organised by Plymouth Culture and taken place.

Councillor Tom Briars-Delve (Cabinet Member for Environment and Climate Change) made the following announcements:

- o) A 'Seasonal Update' was given; Winter vegetation cutbacks had started earlier than usual. 'Sweep vehicles' had covered 10,346 miles since the start of September and 609 tonnes of swept waste, primarily leaves, had been removed from Streets and Highways. These would be Regularly attending the 41 flood spots most likely to flood and would be included in Highways updates in order to respond proactively to forecast heavy rain.

- p) Immanuel Marshall had been working to complete the second cohort of Carbon Literacy Training for Councillors. A third cohort of training was scheduled for the 11th and 18th of January 2024.
- q) PCC had planted over 6,000 trees during 2023 as part of the Plymouth and South Devon Community Forest project.
- r) Councillors had now been contacted regarding the 30 new tree planting schemes for Winter 2023/34. Over 350 'standards', over 50 'Maidens' and 3500 'Whips' sized trees were intending to be planted.

Councillor Sue Dann (Cabinet Member for Customer Services, Sport, Leisure and HR & OD) made the following announcements:

- s) A 'Cost of Living update' was offered; whilst inflation had reduced the 'Overall Cost of Living' had not and the Councillor appreciated that many households were struggling.
- t) £4.5 million from the DWP had been distributed to low-income households and the Community Connections Team had been working with households and employers.
- u) 'Warm Spaces Hubs' had been launched the week commencing 12th November 2023.
- v) Confirmed that the incumbent administration would be continuing to promote "Cost of Living hubs" across the City.
- w) Councillor Chris Penberthy (Cabinet Member for Housing, Cooperative Development and Communities) made the following announcement:
- x) Thanked Councillor Pauline Murphy and Babcock International for assistance with Remembrance Day commemorations, which had included a display of waterproof poppies outside the Council House.

Councillor Sally Haydon (Cabinet Member for Community Safety, Libraries, Cemeteries and Crematoria) made the following announcements:

- y) The "Donate a Coat" scheme would be in effect during winter 2023/2024 at Local Libraries.
- z) After having taken onboard recent feedback, the sale of stationary in libraries would now be in effect.
- aa) Announced the activities taking place as part of a 'Plymouth Says Enough' (combating violence against women) campaign including a march, the illumination of various buildings in the colour orange, which represents the organisation, the launch of a website offering help and support in reference to as well as further information available on the Plymouth City Council's website.

Councillor Sarah Allen (Chair of Audit and Governance Committee) made the following announcement:

- bb) Following next May's local elections, the Local Government Boundary Commission for England would be conducting a review of Plymouth's wards, ward boundaries and the number of Councillors comprising the City Council.
- cc) The Council had until June 2024 to inform the Local Government Boundary Commission for England if it intends to retain elections by thirds, which could affect Wards which currently had two rather than three elected members during the electoral review.
- dd) Officers had met with colleagues from Southampton City Council on several occasions to learn from Southampton's recent experience of an electoral review, and would draft proposals on electoral consultation arrangements for consideration by the Audit and Governance Committee to fit with the electoral review timetable.

Councillor Mary Aspinall (Cabinet Member for Health and Adult Social Care) made the following announcements:

- ee) The National Safeguarding Adult Week would be running during the 20th to the 26th November 2023, the aim would be to highlight key safeguarding issues, hold informative conversations and to raise awareness of adult safeguarding issues around the City. During this week representatives from the council, adults safeguarding teams and adult safeguarding partnerships would be spending time in several of the city's health and well-being hubs raising awareness, listening to people's experiences and sign posting residents to assistance programmes.
- ff) Several pharmacy closures had been causing stress and worry for residents. The Councillor had been in conversation with Devon Local Pharmaceutical Committee regarding the situation and concerns. The Health and Wellbeing Board had completed a pharmacy needs assessment in 2022, however the closures would impact that report. The Councillor had discussed the situation with the chair of Health and Adults Social Care Scrutiny and confirmed that the committee had considered initial reports on the 13th December 2023 which would be fed into the January 2024 Health and Wellbeing Board. Cllr Aspinall asked to be kept informed of any further closures and their impact on Councillors' wards and would update Council as soon as she would able.

Councillor Aspinall left the meeting at 14.56.

51. **Capital Monitoring Report**

The report was introduced by Councillor Lowry (Cabinet Member for Finance) and seconded by Councillor Evans (The Leader of the Council).

Following contributions from Councillors Luggar, Briars-Delve, Noble, Nicholson the Council agreed to:

- I. Approve the Capital Monitoring Report.

For (49)

Councillors Allen, Mrs Beer, Bingley, Blight, Briars-Delve, Mrs Bridgeman, Carlyle, Coker, Cresswell, Dann, Dingle, Evans OBE, Gilmour, Goslin, Harrison, Haydon, Hendy, Holloway, Hulme, Krizanac, Loveridge, Lowry, Lugger, Dr Mahony, McLay, McNamara, Moore, Murphy, Nicholson, Noble, Partridge, Patel, Penberthy, Penrose, Poyser, Raynsford, Reilly, Rennie, Ricketts, Salmon, Smith, Sproston, Stephens, Stevens, Stoneman, Tippetts, Tuffin, Tuohy, Wakeham and Watkin.

Abstain (1)
Councillor Ricketts

Against (0)

Absent/Did Not Vote (5)
Councillors Aspinall, Dr Cree, Finn, Tofan and Shayer.

Councillors Finn and Tofan left the meeting at 14:54 and returned at 15:07.

52. **Withdrawal from the Heart of the South West Joint Committee**

The withdrawal notice was introduced by Councillor Evans OBE (The Leader of the Council) and seconded by Councillor Lowry (Cabinet Member for Finance).

Following one contribution from Councillor Lugger, the Council agreed to:

1) Withdraw from the Committee.

For (52)
Councillors Allen, Mrs Beer, Bingley, Blight, Briars-Delve, Mrs Bridgeman, Carlyle, Coker, Cresswell, Dann, Dingle, Evans OBE, Finn, Gilmour, Goslin, Harrison, Haydon, Hendy, Holloway, Hulme, Krizanac, Loveridge, Lowry, Lugger, Dr Mahony, McLay, McNamara, Moore, Murphy, Nicholson, Noble, Partridge, Patel, Penberthy, Penrose, Poyser, Raynsford, Reilly, Rennie, Ricketts, Salmon, Smith, Sproston, Stephens, Stevens, Stoneman, Tippetts, Tofan, Tuffin, Tuohy, Wakeham and Watkin.

Abstain (0)

Against (0)

Absent/Did Not Vote (3)
Councillors Aspinall, Dr Cree and Shayer.

53. **Violence Against Women and Girls**

The report was introduced by Councillor Sally Haydon (Cabinet Member for Community Safety, Libraries, Cemeteries and Crematoria) and seconded by Councillor Reilly (Chair of Education and Children's Social Care Overview and Scrutiny Committee).

Following a contribution from Councillors Smith, Harrison, McLay, Loveridge, Poyser and Beer the Council agreed to:

I. Continue to endorse the City-wide 'Strategy and Action Plan'.

For (52)

Councillors Allen, Mrs Beer, Bingley, Blight, Briars-Delve, Mrs Bridgeman, Carlyle, Coker, Cresswell, Dann, Dingle, Evans OBE, Finn, Gilmour, Goslin, Harrison, Haydon, Hendy, Holloway, Hulme, Krizanac, Loveridge, Lowry, Luggier, Dr Mahony, McLay, McNamara, Moore, Murphy, Nicholson, Noble, Partridge, Patel, Penberthy, Penrose, Poyser, Raynsford, Reilly, Rennie, Ricketts, Salmon, Smith, Sproston, Stephens, Stevens, Stoneman, Tippetts, Tofan, Tuffin, Tuohy, Wakeham and Watkin.

Abstain (0) Councillors

Against (0) Councillors

Absent/Did Not Vote (3)

Councillors Aspinall, Dr Cree and Shayer.

54. **Full Council Dates**

The report was introduced by Councillor Evans OBE (The Leader of the Council) and seconded by Councillor Sue Dann (Cabinet Member for Customer Services, Sport, Leisure & HR, and OD).

Council agreed to:

I. Approve the provisional Full Council Dates for 2024.

For (52)

Councillors Allen, Mrs Beer, Bingley, Blight, Briars-Delve, Mrs Bridgeman, Carlyle, Coker, Cresswell, Dann, Dingle, Evans OBE, Finn, Gilmour, Goslin, Harrison, Haydon, Hendy, Holloway, Hulme, Krizanac, Loveridge, Lowry, Luggier, Dr Mahony, McLay, McNamara, Moore, Murphy, Nicholson, Noble, Partridge, Patel, Penberthy, Penrose, Poyser, Raynsford, Reilly, Rennie, Ricketts, Salmon, Smith, Sproston, Stephens, Stevens, Stoneman, Tippetts, Tofan, Tuffin, Tuohy, Wakeham and Watkin.

Abstain (0)

Against (0)

Absent/Did Not Vote (3)

Councillors Aspinall, Dr Cree and Shayer.

Following the vote, Council adjourned for a period of 30 minutes.

55. **Motions on notice**

56. **COP28 Climate and Ecology**

The motion was introduced by Councillor Briars-Delve (Cabinet Member for Environment and Climate Change) and seconded by Councillor Moore.

Councillor Stoneman proposed an amendment, which was seconded by Lee Finn. The amendment pertained to the wording of the motion, specifying the inclusion of a reference to the policies of the incumbent Westminster Administration.

After contributions from Councillor Briars-Delve and Councillor Finn, the amendment was not passed.

Following a discussion with contributions from Councillors Nicholson, Stoneman, Smith, Krizanac, Holloway, McLay, Cresswell and Lee, Council agreed to:

1. Express disappointment that the Government has reversed key environmental commitments and did not use the King's Speech to present urgent environmental legislation such as the Climate and Ecology Bill;
2. Request the Leader to write to Plymouth's Members of Parliament, urging them to support the aforementioned calls of the Climate APPG before COP28;
3. Commit to tackling the climate and ecological emergencies locally by developing an updated Net Zero Action Plan with additional decarbonisation commitments, and a new ambitious Plan for Nature Recovery for Cabinet approval and Council endorsement.

For (35)

Councillors Allen, Mrs Beer, Blight, Briars-Delve, Mrs Bridgeman, Coker, Cresswell, Dann, Dingle, Evans OBE, Gilmour, Goslin, Haydon, Hendy, Holloway, Hulme, Krizanac, Lowry, McLay, McNamara, Moore, Murphy, Nicholson, Noble, Penrose, Poyser, Raynsford, Reilly, Rennie, Sproston, Stephens, Stevens, Tippetts, Tuffin and Tuohy.

Abstain (16)

Councillors Bingley, Carlyle, Finn, Harrison, Luggier, Loveridge, Dr Mahony, Partridge, Patel, Ricketts, Salmon, Smith, Stoneman, Tofan, Wakeham and Ms Watkin.

Against (0) Councillors

Absent/Did Not Vote (4)

Councillors Aspinall, Dr Cree, Penberthy and Shayer.

57. **Improved Public Connectivity with Plymouth City Council**

The motion was introduced by Councillor Salmon and seconded by Councillor Luggier.

Following a discussion with contributions from Councillors Haydon, Penberthy, Nicholson & Dann, Councillor Dann proposed an amendment, seconded by Councillor Haydon. This amendment proposed the referral of the motion to the relevant scrutiny committee.

Councillor Dann additionally proposed a secondary amendment, seconded by Councillor Haydon to move to the closure of the vote.

Following these two amendments, and conjecture from members of the chamber including Councillors Luggier, Penberthy and Dann to the clarity of the votes taking place in reference to the original motion and two amendments having been put forward, the meeting was adjourned for five minutes.

Following the vote regarding the closure motion, the amendment was passed.

The amendment to refer the motion to scrutiny was passed.

After summation by Councillor David Salmon, the council agreed to the amended motion to:

- I. Refer the motion to the relevant scrutiny committee.

For (48)

Councillors Allen, Mrs Beer, Bingley, Blight, Briars-Delve, Mrs Bridgeman, Carlyle, Coker, Cresswell, Dann, Evans OBE, Finn, Gilmour, Goslin, Haydon, Hendy, Hulme, Krizanac, Loveridge, Lowry, Lugger, Dr Mahony, McLay, McNamara, Moore, Murphy, Nicholson, Noble, Patel, Penberthy, Penrose, Poyser, Raynsford, Reilly, Rennie, Ricketts, Salmon, Smith, Sproston, Stephens, Stevens, Stoneman, Tippetts, Tofan, Tuffin, Tuohy, Wakeham and Watkin.

Abstain (0) Councillors

Against (0) Councillors

Absent/Did Not Vote (7)

Councillors Aspinall, Dr Cree, Dingle, Harrison, Holloway, Partridge, and Shayer.

Councillors Holloway, Dingle and Partridge Left the meeting at the conclusion of this Motion on Notice.

58. **Transparency of Councillors Casework to the public**

The motion was introduced by Councillor Stephen Hulme and seconded by Councillor Mrs Terri Beer.

Following a discussion with contributions from Councillors Dann and Penberthy Council, the motion was not passed.

For (4) Councillors Mrs. Beer, Mrs. Bridgeman, Hulme, Nicholson.

Abstain (0) Councillors

Against (45) Councillors

Councillors Allen, Bingley, Blight, Briars-Delve, Carlyle, Coker, Cresswell, Dann, Evans OBE, Finn, Gilmour, Goslin, Haydon, Harrison, Hendy, Krizanac, Loveridge, Lowry, Lugger, Dr Mahony, McLay, McNamara, Moore, Murphy, Noble, Patel, Penberthy, Penrose, Poyser, Raynsford, Reilly, Rennie, Ricketts, Salmon, Smith, Sproston, Stephens, Stevens, Stoneman, Tippetts, Tofan, Tuffin, Tuohy, Wakeham and Watkin.

Absent/Did Not Vote (6)

Councillors Aspinall, Dr Cree, Dingle, Holloway, Partridge, and Shayer.

59. **Questions by Councillors**

#	From	To	Subject
1	Cllr Stoneman	Cllr Coker	Should the Council be supporting infrastructure around schools enabling pupils and students to walk to school?
			Response: Yes.
			Supplementary: Would Councillor Coker meet with Councillor Stoneman to discuss areas of the city that have expressed concerns?
			Response: Yes.
2	Cllr Harrison	Cllr Briars-Delve	There had been lots of complaints received regarding bins damaged by council staff. Was there a mechanism to ensure residents are not expected to pay £25 for a replacement or for one to be fixed?
			Response: Yes, this could be flagged online or through Councillor's Casework. Damaged public bins are also available to be flagged in this manner and have a unique numerical identifier.
3	Cllr Rennie	Cllr Haydon	There are large numbers of take away drivers in private cars who are not insured or licenced in the correct way. Are you aware that this is the case and that drivers require correct insurance to undertake this job?
			Response: Yes. I am aware of this. Drivers require a specific type of insurance referred to as "carriage of good insurance". If drivers do not have this insurance, they would be liable. Enforcement of this would fall under a police matter. Furthermore, this is an issue that will be debated in commons.
			Supplementary: Would there be any beneficial quality to speak with relevant authorities in parliament or the Department for Transport to further knowledge and regulation of this matter, specifically when a licensing application is made?
			Response: Yes, there would be, and Councillor Rennie would be included in future conversations.
4	Cllr Stephens	Cllr Cresswell	This authority has been challenged to meet the needs of Children with additional health, education, or disability needs. Despite these additional needs, most children would not need to be educated in a special needs school.
			Besides the added Capital and Transportation costs, children with special needs deserve to be educated within their community to develop a sense of belonging and forge friendships. What actions could be enacted to make this happen within our community?
Response: Issues around Children with SEND (Special Needs and Disabilities) and SEND sufficiency is something that is currently being developed within a comprehensive plan. Key, as well, is the issue of early			

	<p>intervention- early identification has been a key part of Labour's improvement planning and ensures children can be maintained in mainstream schools.</p> <p>A cultural shift would also be required, which would allow for greater community inclusion and to inspire confidence teachers and support staff to be able to work effectively with SEND children within mainstream schooling. This would require services, resources and training and would inspire confidence in parents and carers, putting less pressure on the seeking of EHCPs (Education, Health and Care Plan) and places in special schools.</p> <p>Finally, this has been incorporated as part of SEND sufficiency planning, taking advantage of any fall in primary roles, using things like pods or specialist provisions within existing mainstream schools. This does bring inclusion to the heart of the community.</p> <p>All these options were being explored. It is important to be thinking as broadly as possible as not having a plan is very costly in the long run.</p>	
	<p>Supplementary: In light of the recent OFSTED inspection of SEND in this city what actions have taken place to share accountability between the city, the local authority, schools, governors and multi-academy trusts and trustees?</p>	
	<p>Response: The current administration have a SEND improvement Plan, a SEND improvement board and would continue to develop the already existing openness and transparency on all issues related to SEND. Cross-party co-operation would continue to transpire in Scrutiny and within political commitments and the SEND improvement board.</p>	
5	<p>Cllr Hulme</p>	<p>Cllr Penberthy</p> <p>As you are responsible for the Street Naming, and therefore the proposal, to rename Sir John Hawkins square, could you inform the council what other options were ruled out from this process?</p>
	<p>Response: No options were ruled out as the process was followed correctly. Any ward councillor could put forward name change requests for any street or place. Now that one has been made, we would await contributions by members of the public in response to this.</p>	
	<p>Supplementary: Why was consultation not put out to the public in March 2022 by the then Leader of the Council?</p>	
	<p>Response: Whilst it would not be for Councillor Penberthy to answer for the previous administration, this current administration has followed the council's policy. This policy has remained within both the legislation as well as the standards of good practice issued by national government.</p>	
6	<p>Cllr Beer</p>	<p>Cllr Dann</p> <p>Gambling is addiction and affects a huge amount of people. Does the PCC have a policy in HR to cover this addiction?</p>
	<p>Response: Not specifically. There is a general information guide to support addiction as well as specific pages for Alcohol and Drug addictions. Occupational Health would usually be contacted as well encouraging citizens to work with Citizen's Advice Bureau.</p>	

	<p>As part of the Cost-of-Living Action Plan, the current administration would be looking at, during the Christmas period, the dissemination of messages about gambling addiction in addition to other addictions and would be highlighting the support offered throughout the city and online. Finally, there is an NHS Website called “Qwell” which has mentoring support.</p>		
	<p>Supp: Could you ensure the links are provided online on all our websites to gambling addiction support sites?</p>		
	<p>Response: Yes, it would be checked.</p>		
7	Cllr Dr Mahony	Cllr Evans (OBE)	<p>The reprovisioning of the Mayflower Medical Group has taken place and there will be new administration and delivery of this next May. Was it that the Leader or any members possessed pre-knowledge or were involved in any input into this process?</p>
	<p>Response: The Leader was not aware, however Councillor Aspinall, the portfolio holder, would respond when available.</p>		
	<p>Supplementary: Do you believe it were relevant for us to have had a briefing from the NHS and do you think whether this has been managed satisfactorily by One Devon and the NHS?</p>		
	<p>Response: A conversation would be had with the Portfolio Holder and a response would be issued.</p>		
8	Cllr Luggier	Cllr Allen	<p>On 21 November 2022, the Council voted for public consultation on the subject of moving the electoral cycle from 1/3rds to “all-out” elections.</p> <p>Could it be explained as to why this consultation did not take place immediately when Council asked for it to be, who has had it brought back for discussions from Southampton, and why was this not brought back to full council for discussion?</p>
	<p>Response: Councillor Luggier was referred you back to Councillor Allen’s announcement; under the scheme of delegation, this issue was reverted back to the Audit and Governance Committee.</p>		
	<p>Supplementary: would this be an attempt by the current administration to keep the status quo as far as the Electoral Cycle is concerned without consulting the people?</p>		
	<p>Response: Full Council delegated the issue back to Audit and Governance Committee. Therefore, the Audit and Governance committee would carry out the request of full council.</p>		
9	Cllr Wakeham	Cllr Briars-Delve	<p>The SUDs (Sustainable Urban Drainage) scheme project was due to be finished in July. It is As of this meeting, it is nowhere near completion. As winter would be coming, conditions would become increasingly wet and boggy. What would be the completion date and what was the delay?</p>
	<p>Response: Councillor Wakeham has referred to the Central Park SUDs scheme.</p> <p>The scheduling for this programme was altered a long time ago. The aim</p>		

	<p>was for the majority of the works to be completed before Christmas. There are aspects of the scheme that can't be done, or wouldn't make financial sense to be done, during the winter such as some of the landscaping works but the bulk of the works would be done by December and would be working to budget.</p>		
	<p>Supplementary: The work would have taken twice as long as estimated to complete. Does this mean it would have cost twice the amount?</p>		
	<p>Response: Financial projections would not be based on odd predictions and ratios. The current administration would be working to the budget to which the officers have been instructed and it has been assured that, at the moment, this would remain the case.</p>		
10	Cllr McLay	Cllr Dann	<p>In light of the Cost-of-Living Crisis, would any festive-specific guidance or signposting be issued by Plymouth City Council, ranging from bin-collections and the recycling of Christmas trees to mental health and domestic abuse support?</p>
	<p>Response: From a cost-of-living perspective, there would be communications released regarding free events during the period and guidance around managing a budget and thriftiness. Warm Spaces hubs were being rolled out and these local community-based organisations were sharing advice from the Citizen's Advice Bureau as well as operating as a network for citizens. The proceeding six weeks would be focussed on what support could be offered to households struggling in the lead up to Christmas.</p>		
11	Cllr Tuffin	Cllr Penberthy	<p>Could you provide an update on the current situation with regard to the condition of the Tidal Pool at Firestone Bay?</p>
	<p>Response: This administration has allocated £150,000 from the Capital programme to repair the pool in Early 2024. The structural Integrity of the pool would be strengthened using techniques for the repair of marine structures. A combination of pre-formed and reinforced concrete with marine grade stainless steel reinforcement would ensure that the pool is fit for years to come. The environmental implications would be reviewed and a construction Environmental Management plan produced prior to the commencement of any work on site. The works would not duplicate anything in the National Marine Park program but would complement it in terms of work being done elsewhere at Devil's Point.</p>		
	<p>Supplementary: Could Councillor Penberthy provide some additional information about any other projects that would be occurring in that area of Plymouth in reference to the tidal pool?</p>		
	<p>Response: Some essential upgrades would be needed immediately around the tidal pool. The jetty, which is one of the supporting walls to the pool and where there has been a sea breach, would be looked into. The steps are to be repaired and the railings replaced. Lockers would be installed for swimmers and the improvement of signage on safety and usage of that part of the bay would be investigated. In relation to what local communities have been saying- any budget remaining would be spent improving seating. Works would begin in March 2024 and would take approximately 10 weeks.</p>		
12	Cllr	Cllr	<p>On the 19th of June Council debated a motion</p>

	Nicholson	Bingley	<p>in relation to fixing Plymouth's roads. During the debate, an amendment was moved in which the Growth and Infrastructure Scrutiny Committee were requested to review the effectiveness of the current procedures for maintaining the City's roads and pavements. Despite three sittings of the committee, this has not appeared in the work programme. Given the announcement of £1.4 Million for Plymouth roads very recently could it be ensured that this is placed into the work programme and would be given urgent consideration?</p>
	<p>Response: Councillor Bingley issued apologies that this was not done; the committee were awaiting the confirmation of the aforementioned funding. Given that, as of the day of this sitting, Councillor Bingley was more certain about where the Scrutiny Committee were in terms of central government funding, it would be put into the work programme.</p>		
	<p>Supplementary: Was the Councillor prepared to hold additional meetings of the scrutiny panel to ensure that the important business would be activated and that recommendations were made to the Cabinet Member?</p>		
	<p>Response: Councillor Bingley was currently appointed as the chair and would be working within a team. This would be raised at the next committee and, according to their agreement, this would be done.</p>		
13	Cllr Smith	Cllr Briars-Delve	<p>The contract for the processing of garden waste is would be up for re-tendering during the time of this sitting. When would that process start, how close to home would the Council prefer the processing to take place and what would the target be for emissions?</p>
	<p>Response: Councillor Briars-Delve would investigate and get back Councillor Smith.</p>		
14	Cllr Loveridge	Cllr Coker	<p>What would be the overall strategy for improving traffic FL traffic flow and keeping our residents safe in the community?</p>
			<p>Response: The question was broad-based and could not be answered sufficiently in this meeting. The council has had a long-term local transport plan which is up for renewal. This information would be available on the website but if there are any more specific questions Councillor Coker would be contactable.</p>
15	Cllr Bingley	Cllr Coker	<p>In terms of community and passenger safety, what would the coverage for CCTV at bus shelters be and could the City be provided with clear bus shelters, as opposed to opaque ones? When would the council be able to have these delivered by the contractor?</p>
	<p>Response: The new shelters are clearer and help with visibility. The long-term aspiration would be to investigate areas of particular concern and to</p>		

	<p>provide funding for CCTV in these areas. The focus would be on adding CCTV to certain areas. Not every shelter would have CCTV installed as the budget would not allow this, but the current administration would be undertaking a strategic approach to the installation of these. The process of installations under the previous administration's contract would need to be actioned first. From a transport perspective, the focus is to "do more", however currently there is a requirement to complete the installation of camera and bus stops outlined by the previous administration.</p>		
16	Cllr Tippetts	Cllr Coker	<p>The printed timetabling by Stagecoach on Route 31 is too small, elderly people have struggled to read these. Could you liaise with Stagecoach to rectify this?</p>
	<p>Response: Councillor Coker was unaware of this and would commit to speaking with Stagecoach. Peverell and Compton wards were working hard to promote Route 31, however its continued operation would require the assistance by Ward Councillors to promote it.</p>		
17	Cllr Mahony	Cllr Dann	<p>Could you speak to the conflict in casework: are we meant to be referring cases directly to Officers?</p>
	<p>Response: Most work should go through casework, however sometimes, if a piece of casework were to be particularly complex or time sensitive such as safeguarding or police matters, it would be prudent to contact an Officer or Manager directly. A sensible approach would be required.</p>		
	<p>Supplementary: Would it be possible for the original cases or phone numbers for officers to be attached?</p>		
	<p>Response: Casework is an imperfect system, however it should be used as the cases are then able to be tracked. A trial is currently being undertaken to identify ways in which casework could be improved. Budget cuts had affected three Business Support positions, which has impacted response times.</p>		

Please note that questions, answers, supplementary questions and supplementary answers have been summarised.

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City Council



Date of meeting:	29 January 2024
Title of Report:	Council Proportionality January 2024
Lead Strategic Director:	Giles Perritt (Assistant Chief Executive)
Author:	Ross Jago, Head of Governance Performance and Risk
Contact Email:	Ross.jago@plymouth.gov.uk
Your Reference:	AC.3.23/24
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of Report

The purpose of this report is to advise Council of changes to the political proportionality of the Council following changes to political group membership.

A review of proportionality has not resulted in changes to committee allocations and the Council is asked to note the report.

Recommendations and Reasons

That Council notes changes to political proportionality set out at Appendix A.

Reason: To maintain clarity of the Council's committee structure and membership

Alternative options considered and rejected

None. The Council is required to conduct proportionality reviews under Section 15 of the Local Government and Housing Act 1989.

Relevance to the Corporate Plan and/or the Plymouth Plan

Clarity on appointments to committees ensures that key projects and activities can be progressed in line with the Corporate and Plymouth Plans.

Implications for the Medium Term Financial Plan and Resource Implications:

None arising directly from this report.

Carbon Footprint (Environmental) Implications:

None arising directly from this report.

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

** When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.*

None arising directly from this report.

Appendices

*Add rows as required to box below

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A	Political Proportionality (September)							

Background papers:

*Add rows as required to box below

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
	1	2	3	4	5	6	7

Sign off:

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Originating Senior Leadership Team member: Giles Perritt

Please confirm the Strategic Director(s) has agreed the report? Yes

Date agreed: 29/01/2024

PROPORTIONALITY JANUARY 2024



I. LEGISLATIVE REQUIREMENTS OF PROPORTIONALITY

- I.1. Section 15 (5) of the Local Government and Housing Act 1989 imposes a duty on Councils to review the representation of different political groups on bodies to which the Council makes appointments. The Act requires that the review should be held at the Annual General Meeting or as soon as practicable after that meeting or when the membership of the Council changes.
- I.2. The Act provides four principles concerning political representation that must be observed when conducting a review. These are:
- a) that not all the seats on committees are allocated to the same political group;
 - b) that the majority of the seats on each committee are allocated to a particular political group if the number of persons belonging to that group are a majority of the authority's membership;
 - c) subject to (a) and (b), that the number of seats on committees which are allocated to each group bears the same proportion to the total of all the seats on committees of the council as is borne by the number of members of that group to the membership of the authority, and
 - d) Subject to (a) to (c) above, that the number of seats on each committee which are allocated to each political group bears the same proportion to the number of all the seats on that committee as is borne by the number of members of that group to the membership of the authority.
- I.3. The legislation provides that the Council may make alternative arrangements to the 'proportionality' principles only by a unanimous vote, with no member voting against.
- I.4. The Committees and Panels to which the provisions of Section 15 of the Act apply, and the recommended allocation of seats on each, applying the principles of the Act as closely as is reasonably practicable, are shown in Section 2 below. The recommended allocation of seats reflects the four proportionality principles so far as reasonably practicable.

2. OVERALL PROPORTIONALITY 2023/2024 - NUMBER OF SEATS ON COUNCIL

Group	January 2024
Labour	33 (57.89%)
Conservative	15 (26.32%)
Green	2 (3.51%)
Independent Group	2 (3.51%)
Free Independents (Group)	2 (3.51%)
Independent Members (Unaligned)	3 (5.26%)

* There are 57 members on Plymouth City Council. The Local Government and Housing Act 1989, which sets out how seats should be allocated to members on a Council, describes the distribution of seats between the political Groups into which the Council has divided itself. There is no seat entitlement to members who are not in a Group. The definition of what constitutes a group on a

Council is covered in The Local Government (Committees and Political Groups) Regulations 1990 and can be found in the following link <https://www.legislation.gov.uk/ukssi/1990/1553/part/III/made>

A single representative does not constitute a Group which is defined as a number of persons bound together by common interests. As such, a single Member is not entitled to any Committee seats. This is consistent with practice previously employed by the Council in similar circumstances.

2.1. The application of the legislative principles is set out below:

Local Government Act 1989 – Principles	Is this principle met?
a. that not all the seats on committees are allocated to the same political group	Principle Met
b. that the majority of the seats on each committee are allocated to a particular political group if the number of persons belonging to that group are a majority of the authority's membership;	Principle Met
c. subject to (a) and (b), that the number of seats on committees which are allocated to each group bears the same proportion to the total of all the seats on committees of the council as is borne by the number of members of that group to the membership of the authority;	Principle met as far as reasonably practicable
d. Subject to (a) to (c) above, that the number of seats on each committee which are allocated to each political group bears the same proportion to the number of all the seats on that committee as is borne by the number of members of that group to the membership of the authority.	Principle met as far as reasonably practicable

Labour 33 / Conservative 15 / Green 2 / Independent Group 2 / Free Independents 2 Three unaligned Independents excluded from allocation											Total Seats
	Labour		Conservative		Green		Independent Group		Free Independents		
Councillors	31	57.89%	15	26.32%	2	3.51%	2	3.51%	2	3.51%	
Seat Allocation	77	77.00	35	35.00	5	4.67	5	4.67	5	4.67	
Planning Committee	7	7.53	4	3.65	1	0.46	1	0.46		0.46	13
Taxi Licensing Committee	5	4.05	2	1.96		0.25		0.25		0.25	7
Licensing Committee	7	7.53	4	3.65	1	0.46	1	0.46		0.46	13
Chief Officer Appointments Panel	4	4.05	2	1.96		0.25	1	0.25		0.25	7
Chief Officer Disciplinary Panel	4	4.05	2	1.96		0.25		0.25	1	0.25	7
Chief Officer Appeals Panel	4	4.05	2	1.96		0.25		0.25	1	0.25	7
Audit and Governance Committee	3	2.89	2	1.40		0.18		0.18		0.18	5
Tamar Bridge and Torpoint Ferry JC	3	2.89	2	1.40		0.18		0.18		0.18	5
Devon and Somerset Fire Authority	3	2.32	1	1.12		0.14		0.14		0.14	4
Growth and Infrastructure Scrutiny	7	7.53	4	3.65	1	0.46		0.46	1	0.46	13
Performance Scrutiny	7	7.53	4	3.65	1	0.46		0.46	1	0.46	13
Children's Scrutiny	7	7.53	4	3.65	1	0.46	1	0.46		0.46	13
Health & Adult Care Scrutiny	7	7.53	4	3.65		0.46	1	0.46	1	0.46	13
Standards Advisory Board	4	3.47	2	1.68		0.21		0.21		0.21	6
Lord Mayors Selection Committee	5	4.05	2	1.96		0.25		0.25		0.25	7
Seats allocated	77	-	41	+6	5	-	5	-	5	-	133

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City Council



Date of meeting:	29 January 2024
Title of Report:	Council Tax Base Setting 2024/25 and Council Tax Support Scheme 2024/25
Lead Member:	Councillor Mark Lowry (Cabinet Member for Finance)
Lead Strategic Director:	David Northey (Service Director for Finance)
Author:	Carolyn Haynes (Head of Finance) Paul Walshe (Head of Revenues, Benefits and Service Centre)
Contact Email:	carolyn.haynes@plymouth.gov.uk
Your Reference:	FIN/SC
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of Report

To recommend the 2024/25 Council Tax Base to Council in accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012.

Agree actions from the annual review of the Council Tax Support (CTS) scheme.

Recommendations and Reasons

That Council agrees -

1. The Council Tax Base for 2024/25 of 75,389 equivalent Band D dwellings as set out in the report.
2. The continuation of the current Council Tax Support scheme and Exceptional Hardship Scheme for 2024/25 with the amendments as set out in Paragraph 4.

Reason for recommendations: to meet the legal requirements to set the Council Tax Base for budget setting purposes.

To help ensure that the Council Tax Support scheme treats claimants consistently, is clear to understand and is easy to administer.

Alternative options considered and rejected

It is a statutory requirement for Council to approve the Council Tax Base for the forthcoming financial year and annually review their CTS scheme. The option to amend the Council Tax Support scheme requires public consultation, and as there are no major Government amendments, it is considered correct to continue with the existing scheme.

Relevance to the Corporate Plan and/or the Plymouth Plan

The Council Tax Base and associated 2024/25 budget papers will set out the resources available to deliver the Corporate Plan priorities.

Implications for the Medium Term Financial Plan and Resource Implications:

A collection rate of 97.5% has been used in calculating the Council Tax Base. Appendix A details the Tax Base calculations. The tax base is 75,389 band D equivalent properties.

Financial Risks

Council Tax Base assumptions include growth and demand on CTS scheme during 2024/25. A mid-year estimate will be prepared during autumn 2024 to identify any surplus or deficit between forecast council tax collection and the council tax income target when 2024/25 budget set. Any surplus or deficit will be included in calculating resources for future medium term financial

Carbon Footprint (Environmental) Implications:

No impact will directly arise from this report.

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

** When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.*

No impact will directly arise from this report.

Appendices

**Add rows as required to box below*

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A	Council Tax Base Calculation							
B	Council Tax Base Calculation Table							
C	Council Tax Base Previous years							

Background papers:

**Add rows as required to box below*

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

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	1	2	3	4	5	6	7
None							

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Sign off:

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Originating Senior Leadership Team member: David Northey (Service Director for Finance)

Please confirm the Strategic Director(s) has agreed the report? Yes

Date agreed: 13/12/2023

Cabinet Member approval: Deputy Leader and Cabinet Member of Finance, after discussion with Cabinet colleagues

Date approved: 13/12/2023

A. Council Tax Base Calculation

1. INTRODUCTION

- 1.1 The Local Authorities (Calculation of Tax Base) (England) Regulations 2012 make arrangements for the setting of the Council Tax. The arrangements include the determination of the Council Tax Base. A Council resolution is necessary. The decision must be notified to the major precept authorities.
- 1.2 For the year commencing 1 April 2024, the major precept authorities will be Devon and Cornwall Police and Crime Commissioner and Devon and Somerset Fire and Rescue Authority.
- 1.3 The Council must determine its Council Tax Base for 2024/25 during the period 1 December 2023 to 31 January 2024. The Council Tax Base is the measure of the taxable capacity of an area, for the purpose of calculating an authority's Council Tax. It represents the estimated number of Band D equivalent chargeable dwellings for the year. It also takes into account the authority's estimated Council Tax collection rate. The level of Council Tax subsequently set must be determined using the Council Tax Base figure. The Council Tax Base calculation is attached in Appendix B.
- 1.4 The calculation of the Council Tax Base allows for discounts under the Council Tax Support Scheme.

2. PURPOSE OF THE REPORT

- 2.1 The purpose of this report is to propose to Council the Council Tax Base of 75,389. The Council Tax Base for 2023/24 was 74,891.
- 2.2 The Tax Base calculation includes the impact of the Council Tax Support Scheme. Tax base calculations also include assumptions for the financial impact from the cost-of-living crisis and the continuing requirements of citizens for support to pay their Council Tax through the Council Tax Support scheme.

3. TAX BASE CALCULATIONS

- 3.1 Council Tax Base figures are calculated by the billing authority as the aggregate of the "relevant amounts" calculated for each property valuation band multiplied by the estimated "collection rate" for the year.
- 3.2 Relevant amounts are:
 - (a) The number of chargeable dwellings in that band shown in the valuation list as at 12 September 2023 (Ministry of Levelling Up, Housing & Communities (DLUHC) return – Council Tax Base (CTB));
 - (b) The number of discounts, disabled reductions and exemptions which apply to those dwellings;
 - (c) Estimated changes in the number of chargeable properties between 12 September 2023 and 31 March 2025;

- (d) Impact of the Council Tax Support scheme;
- (e) The number of Band D equivalents within each different band.

- 3.3 The collection rate is the billing authority's estimate of the total amounts of 2024/25 Council Tax which will ultimately be paid or transferred into the Collection Fund.
- 3.4 This report assumes a collection rate for Council Tax of 97.5%. This rate reflects recent arrears collection performance, the pattern of write offs and the impact of Universal Credit. Analysis of collection rates across the age profile of debts suggests that an eventual collection rate of 97.5% is realistic and prudent in the current economic climate.
- 3.5 Appendix C shows the tax base used for the previous three years for comparison.

4. COUNCIL TAX SUPPORT

- 4.1 In April 2013 the National Council Tax Benefit scheme was abolished and replaced by local assistance schemes, developed and administered by local Councils. Plymouth City Council introduced two schemes from 1 April 2013; Council Tax Support and a discretionary Exceptional Hardship Scheme. The main Council Tax Support (CTS) scheme requires all working age claimants to make a minimum 20% contribution towards their Council Tax bill. All local authorities administer the same Council Tax Support scheme for Pension Age council taxpayers under regulations prescribed by central government.
- 4.2 From April 2021 Plymouth moved to an income banded working age CTS scheme. The amount of support awarded is based on the composition of the household and the income band in which the household income falls. Those on a basic qualifying benefit, known as a passported benefit, and those who receive a war pension or war disablement benefit receive a maximum 80% towards their Council Tax.
- 4.3 All councils are required to annually review their local CTS schemes. Significant changes were agreed to the CTS scheme to implement an income banded scheme in 2021/22 to support Universal Credit (UC) customers from the frequent changes to their awards.
- 4.4 CTS continues to provide vital support for many households in the city who have low incomes. It is expected that the caseload and scheme cost within 2024/25 can be funded within the available financial envelope.
- 4.5 A change to the CTS scheme is recommended to disregard any government emergency payments;**
- 4.6 During difficult times and periods of crisis, such as the cost-of-living crisis, the government has made payments to assist households who are suffering hardship. There have been several government provisions to support vulnerable households with the cost of living, such as Alternative Fuel Payments and the Household Support Fund payments.
- 4.7 For the purpose of Housing Benefit, the Department for Work and Pensions (DWP) have instructed local authorities to treat any such payments as 'local welfare provision' and to disregard

them as income/capital for the purposes of Housing Benefit calculations and have amended HB Regulations to enable this.

4.8 However, for CTS, any new government emergency payments or increases to national welfare benefits could negatively impact a claim as it would reduce entitlement. If welfare provision is not disregarded for the purpose of CTS, then such emergency payments could, in theory, be subject to challenge as Plymouth's current CTS scheme does not provide for such payments to be disregarded.

4.9 This recommendation is to make a similar provision within our CTS scheme so that where the government announce emergency payment 'Local Welfare Provision' schemes and/or make increases to national welfare benefits, that the Council has the discretion to disregard such additional welfare payments in the assessment of CTS.

4.10 Taking the factors in the above paragraphs into account, it is recommended that the following changes are made to the CTS scheme for implementation in 2024/25:

4.11 Recommendation – That the CTS scheme be amended to disregard certain Local Welfare Provision crisis payments. This change will allow the Council to disregard any such payments so they will not have a negative impact on or reduce entitlement to CTS.

Benefits

- CTS applicants will not have CTS reduced if they receive a Local Welfare Provision.
- This recommendation brings Plymouth's CTS scheme in line with changes made to HB regulations.

Drawbacks

- None Identified

4.12 These factors have been taken into account in establishing the proposed Council Tax Base and the impact will be closely monitored throughout the year.

4.13 The Council recognises the impact of the rising cost of living and the financial strain this has placed on households. A number of crisis payments and schemes have been delivered by the Council such as the Household Support Fund and the Council Tax Energy Rebate, along with a range of other support through the Cost of Living Plan ([Cost of living | PLYMOUTH.GOV.UK](https://www.plymouth.gov.uk/cost-of-living)).

4.14 Further to these measures, the Council intends to review the CTS scheme during 2024 to consider changes to provide more financial support to families with children. It is the council's intention to undertake detailed modelling on the current CTS case load and offer revised schemes which will be open to public consultation.

C. Council Tax Base - Previous Years

Band	2021/22			2022/23			2023/24		
	Number of properties	Estimated Collection Rate	Adjusted Band D Equivalent	Number of properties	Estimated Collection Rate	Adjusted Band D Equivalent	Number of properties	Estimated Collection Rate	Adjusted Band D Equivalent
A	47,670	97.5%	18,868	47,824	97.5%	19,057	48,050	97.5%	19,508
B	33,048	97.5%	19,297	33,154	97.5%	19,389	33,261	97.5%	19,664
C	23,318	97.5%	17,103	23,484	97.5%	17,266	23,575	97.5%	17,420
D	10,066	97.5%	8,308	10,132	97.5%	8,443	10,213	97.5%	8,551
E	5,136	97.5%	5,506	5,159	97.5%	5,546	5,186	97.5%	5,578
F	1,805	97.5%	2,361	1,836	97.5%	2,411	1,859	97.5%	2,456
G	606	97.5%	850	611	97.5%	863	614	97.5%	862
H	57	97.5%	37	56	97.5%	39	55	97.5%	42
Total	121,706		72,330	122,256		73,014	122,813		74,081
MOD			785			816			810
Tax Base			73,115			73,830			74,891

City Council



Date of meeting:	29 January 2024
Title of Report:	Proposed amendments to the Hackney Carriage and Private Hire Licensing Policy 2022 in relation to Livery and Topographical Knowledge of Plymouth test.
Lead Member:	Councillor Sally Haydon (Cabinet Member for Community Safety, Libraries, Cemeteries & Crematoria)
Lead Strategic Director:	Ruth Harrell (Director of Public Health)
Author:	Nicola Horne
Contact Email:	Nicola.horne@plymouth.gov.uk
Your Reference:	Taxi Policy NH/ODPH
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of Report

The Council adopted its third Hackney Carriage and Private Hire Licensing Policy in May 2022 which updated and set out a licensing framework required to regulate hackney carriage and private hire (taxi) services within Plymouth.

In response to various economic and operational changes that have arisen since policy implementation in May 2022, Plymouth City Council consulted on proposed amendments to the Taxi Policy 2022, between 24 October and 23 November 2023. All drivers, vehicle proprietors and operators were sent an email and letter in the post explaining the consultation and asking for their feedback using the online form or alternatively in writing. Letters and emails were also sent to a variety of agencies, departments and Councillors including disability groups, resident's associations and businesses. A total of 386 responses to the public consultation were received.

A summary of the results and recommendations are included in the Briefing Report in Appendix A for livery and Knowledge of Plymouth test, with the remaining matters being delegated to Taxi Licensing Committee.

The Executive Decision is contained in Appendix B, a copy of the consultation in Appendix C and comments received can be found in Appendix D.

Recommendations and Reasons

That Council agree the amendments to the Taxi Policy to =

- a. Remove livery requirements for vehicles;
- b. the removal of requirements for the Knowledge of Plymouth test for private hire drivers.

Subject to approval, this will be implemented on 1st April 2024 and it is considered that this will enable an increase in overall taxi provision across the city.

Alternative options considered and rejected

Do nothing- this would mean that the Policy would remain the same, presenting some operational issues, and exacerbating some economic considerations for the Hackney Carriage and Private Hire trade.

Relevance to the Corporate Plan and/or the Plymouth Plan

The Taxi Policy has relevance to the priorities outlined in the Corporate Plan by keeping children, adults and communities safe in the provision of a Hackney Carriage and Private Hire service within Plymouth. The policy ensures that any person within the hackney carriage and private hire trade works within the realms of policy to ensure safety is paramount.

Implications for the Medium Term Financial Plan and Resource Implications:

None

Financial Risks

The costs of implementation will be met, proportionately, through the existing hackney carriage and private hire trade budgets which are funded through the vehicle, driver and operator licence fee income.

Any amendments to the licensing policy should have no financial impact to the general account.

Carbon Footprint (Environmental) Implications:

None

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

** When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.*

An equality Impact Assessment has been completed and attached.

Appendices

**Add rows as required to box below*

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable)						
		<i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A	Briefing Note							
B	Authorisation to Consult							
C	Taxi Licensing Consultation (October 23)							
D	Consultation Responses							
E	EIA							

Background papers:

*Add rows as required to box below

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable)						
	If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.						
	1	2	3	4	5	6	7

Sign off:

Fin	HLSI 5122 3	Leg	IW 18 Dec 23 TCS 1760	Mon Off		HR		Assets		Strat Proc	
Originating Senior Leadership Team member: Ruth Harrell (Director of Public Health)											
Please confirm the Strategic Director(s) has agreed the report? Yes											
Date agreed: 15/12/2023											
Cabinet Member approval: Councillor Sally Haydon (Cabinet Member for Community Safety, Libraries, Cemeteries & Crematoria)											
Date approved: 15/12/2023											

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BRIEFING NOTE

Appendix A

**I. Background**

- I.1. The Council adopted its third Hackney Carriage and Private Hire Licensing Policy (Taxi Policy) in May 2022.
- I.2. This report outlines several changes to the Policy that are considered necessary when taking into consideration the economic and operational changes that have arisen since policy implementation in May 2022.
- I.3. A consultation exercise was undertaken between 24 October to 23 November 2023. The reasons for the consultation were outlined in the Executive Decision provided in Appendix B and a copy of the Consultation document is provided in Appendix C.
- I.4. The Council Constitution sets out the democratic process for decision making, and some decisions are for the Taxi Licensing Committee to make, and others are for Full Council to determine. This was set out in the Executive Decision document. This report seeks to cover those specific matters that require Full Council approval only, specifically Livery and Topographical Knowledge of Plymouth test (KOP). All other matters will be decided upon at the Taxi Licensing Committee meeting, as dictated by the Constitution.
- I.5. Table one taken from the Executive Decision report outlines a summary of the areas that were consulted upon and the appropriate decision-making route.

Table 1.

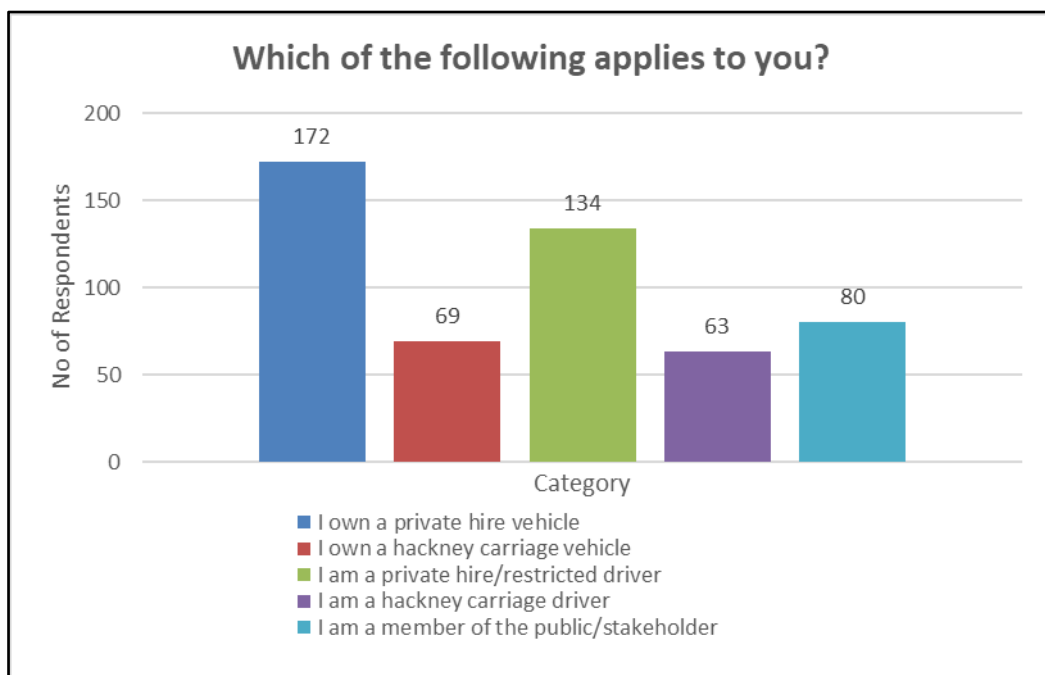
Policy Subject/Area	Changes Required	Full Council or TL Committee
Livery Policy 2022	Revoke full livery requirement & retain door signage	Full Council
Topographical Test (Knowledge of Plymouth)	Remove requirement for new private hire driver applicants to take and retain for hackney carriage drivers	Full Council
Certificate of Good Conduct	Change requirement for amount of time living in country from majority of adult life to more than 10 years in line with Barrister advice and Home Office guidance	TL Committee
Acceptable Standard of Dress (Dress Code)	Change of wording required to allow black denim, see review document for suggested wording.	TL Committee
Private Hire Driver & Hackney Carriage Driver New Driver Applicants (Accumulation of licence endorsements before application)	Amend wording to cover new applicants who have more than 6 points on licence	TL Committee
Hackney carriage Conditions of Licence. (Card Holder)	Amend card reader wording for clarity.	TL Committee

Fixing Point and must be operational and offered.	Remove requirement for card reader fixture.	
Changes to penalty Point Scheme	Review of what happens when 12 points reached i.e., points go back to nil or rollover etc, and Insertion of points for additional minor offences.	TL Committee
Private hire vehicle Specifications	Amend to allow PHV WA/tail lift vehicles to only have 1 side door. Add requirement for minimum of 4 adults to private hire vehicle specs. Amend seating requirements to allow for rear folding seats where safe and suitable. Remove engine capacity.	TL Committee

2. Consultation

- 2.1. All drivers, vehicle proprietors and operators were sent a letter by email, explaining the proposed amendments and asking for their feedback via an online questionnaire or printable form. Letters and emails were also sent to all Councillors, a variety of agencies and departments including disability groups, residents’ associations and businesses.
- 2.2. A total of 391 responses were received, 386 were made on-line and 5 were received by post or e-mail, which were added to the online system to allow analysis. There was an opportunity to leave comments. Full anonymised copies of the responses are in Appendix D. Of the 391 responses received, the following breakdown of who responded to the consultation can be seen below in Figure 1. Some responders ticked more than one of the options if they were both a driver and vehicle proprietor. 80 responses were received by members of the public but again some drivers ticked this option in addition to their licence category.

Figure 1: Breakdown of who responded to the consultation.



3. Considerations

- 3.1. There have been concerns for some time about the numbers of hackney carriage and private hire vehicles available in Plymouth. The wider 'taxi' service, (including both hackney carriages and private hire vehicles) provides a valuable support system to residents and visitors to our city. With this in mind, it is important for the Council to consider the economic wellbeing of the city, including employment opportunities, but also consider actions that can be taken to increase the availability of hackney carriages and private hire vehicles, to support the evening and nighttime economy and ensuring visitors and residents can move around the city safely at whatever time of day or night.
- 3.2. The Council have also considered the outcomes of the Violence Against Women and Girls Commission where it was reported that by having reduced numbers of 'taxis' it had an impact on the perceived safety of women and girls in our community. We are proud to have Purple Flag status, recognising Plymouth nightlife for safety and increasing the numbers of private hire and hackney carriages will help us maintain the ability to transport passengers safely.
- 3.3. We are satisfied that with other controls and checks undertaken as part of the licensing regime, we can be satisfied that even with an increase in the numbers of drivers and vehicles in the city, a safe service can be provided to the public.
- 3.4. All the individual responses to the questions about livery and topographical knowledge of Plymouth test have been reviewed, considered and are summarised below.
- 3.5. Matters that are delegated to Taxi Licensing Committee have not been considered in this report and will be reported in due course to the Taxi Licensing Committee in early 2024.
- 3.6. The recently issued Department of Transport Best Practice Guidance for Licensing Authorities, published on 17th November 2023, has also been taken into account in reviewing the consultation responses. [Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england)

Livery Policy

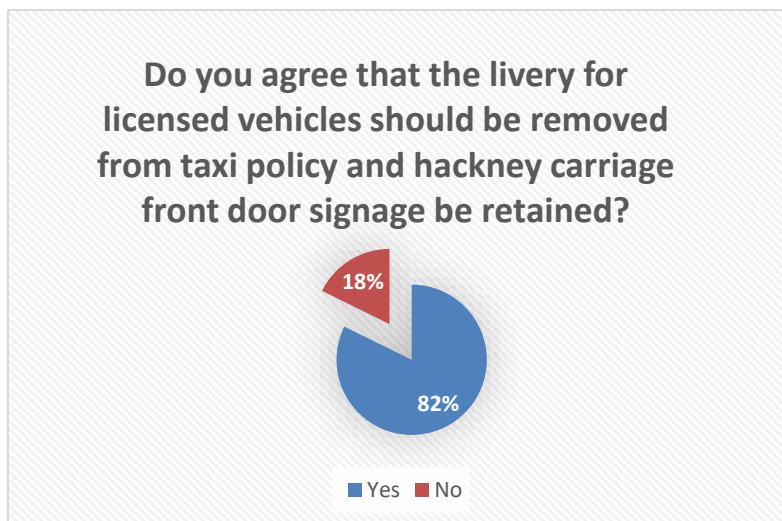
4. Background

- 4.1. PCC introduced its [Livery Policy](#) in May 2022. The Livery Policy currently requires
- 4.2. new hackney carriage vehicles entering the fleet from 1 May 2022 and existing hackney carriage vehicles to comply with the livery (colour scheme) requirements by 1 May 2027. It is also a requirement that new private hire vehicles entering the fleet cannot be white in colour.
- 4.3. The Council received feedback from vehicle proprietors, drivers and the wider taxi trade of issues relating to the cost of meeting the Livery Policy vehicles and the difficulties presented in sourcing such vehicles due to a national shortage.
- 4.4. The supply of new and second hand, 'all white' Euro 6, wheelchair accessible hackney carriage vehicles is severely limited with a continuing national shortage of the supply of vehicles of this specification and colour.
- 4.5. Furthermore, whilst there are a wide range of Euro 6 vehicles available to be licensed as private hire vehicles in Plymouth, the current policy requirement that these vehicles cannot be white severely reduces the number of vehicles that are available to be licensed.
- 4.6. The proposal was made to remove the requirements for livery for both hackney carriages and private hire vehicles, and retain a requirement for door signage. The specific question relating to Livery is shown in Figure 1 below, along with the percentages taken from the consultation responses.

5. Results

5.1. 378 responses in total were received to this question with 130 comments shown in full in Appendix D. 82% of respondents agree that livery requirements should be removed.

Figure 1



5.2. Some of those in favour of removing the livery requirement cited that cost of the livery requirements and sourcing white vehicles that are wheelchair accessible was difficult. Comments against the change in livery requirements said that having livery increased public confidence in hailing a properly licenced and approved cab. However there is overall support for the removal of the livery requirements.

6. Recommendations

- 6.1. Taking into account the comments and the responses received, it is therefore proposed to remove/revoke the Livery Policy for hackney carriage and private hire vehicles in its entirety from the Taxi Policy 2022 and the associated hackney carriage and private hire vehicle conditions and retain door signage for hackney carriage vehicles.
- 6.2. This will also require small changes to the vehicle conditions, and these will be considered as per the delegation at Taxi Licensing Committee. These will include the use of a temporary vehicle for example following an accident or repair.
- 6.3. All associated vehicle conditions and specification documents will also be updated to reflect these changes.

Topographical/Knowledge of Plymouth Test

7. Background

- 7.1. During the course of the consultation, new guidance was issued by the Department of Transport (DfT) on 17th November 2023, which has a bearing on this amendment to Policy. Although not statutory guidance, licensing authorities should have due regard to best practice guidance. This is available on the following link. [Taxi and private hire vehicle licensing: best practice - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/taxi-and-private-hire-vehicle-licensing-best-practice)
- 7.2. This guidance recommends that private hire drivers should not be required to undertake a knowledge test, as the DfT recognise the differences between how hackney carriages operate, such as plying for hire or being available on ranks, to private hire drivers, who have their routes transferred through an operator, and can use sat nav systems.
- 7.3. As such, this has had a significant impact on the considerations of the consultation responses. As mentioned, the aim is to increase the provision of the overall hackney carriage and private hire fleet and the impacts of removing the requirements for private hire drivers to undertake the KOP was recognised following the implementation of the existing policy in 2022, where

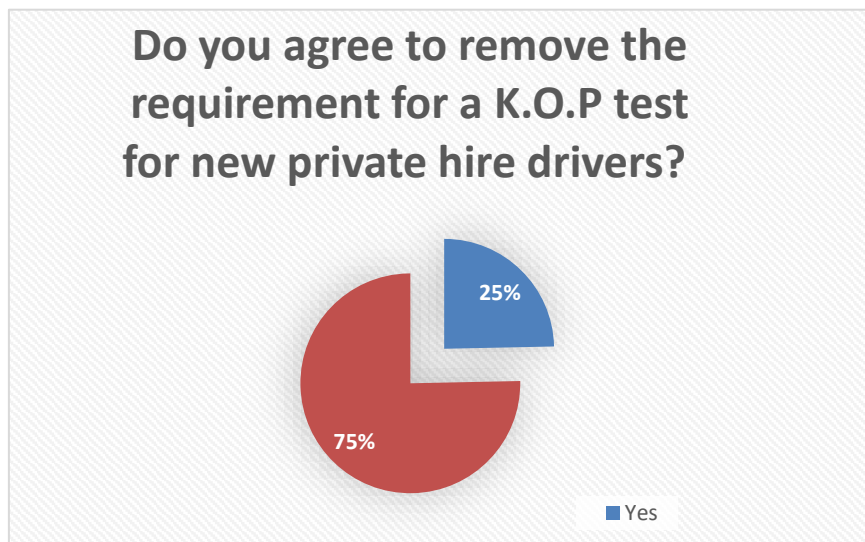
due to an error in wording there was a temporary relaxation of KOP requirements for private hire drivers.

- 7.4. During the 2 months that it took to rectify the mistake, there was a sharp increase in new applicants wishing to become licensed private hire drivers. This appeared to confirm that the KOP test for private hire drivers is currently presenting a barrier to new applicants.
- 7.5. Modern dispatch management and booking systems send bookings direct to the drivers data pads, with details of the bookings, via the inbuilt GPS navigation system which shows the most direct route to take. The routes also take account of local traffic conditions at the time of the booking. There is a valid argument that a private hire drivers' topographical knowledge does not need to be as much as a Hackney Carriage Driver who can 'ply for hire' and determine the most suitable and direct route etc while by the roadside and enroute. Private hire drivers cannot work without a GPS system or app which is accessed through their own smart phone.
- 7.6. Not all operators (operators of school contracts or fixed contracts) use dispatch management systems so these operators will be required to provide a form of electronic navigational system (GPS).
- 7.7. To ensure there is sufficient opportunity to gain local topographical experience and knowledge of Plymouth, any private hire driver who wishes to apply to be a hackney carriage driver will require three years of experience before they can apply or if they wish to apply before the three years, they will be required to complete the KOP test.

8. Results

- 8.1. The consultation in relation to KOP was asked in two parts, and the responses are dealt with in turn as part one, and part two.
- 8.2. Part one covered the removal of the requirement for a private hire driver to complete the KOP test. The question received 377 responses, of those 211 made comments, which are shown in Appendix D. 75% of respondents wished to keep the KOP requirements the same.

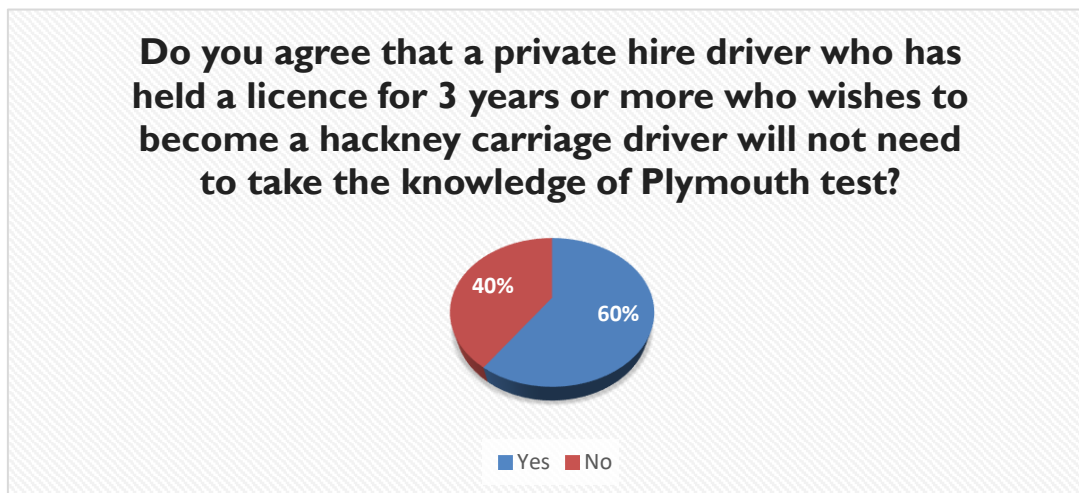
Figure 2



- 8.3. Those against the proposal included comments such as the KOP ensures drivers are of a specific standard, concerns about the reliability of the sat nav systems, and concerns that there would be an influx of lower standard, poorly trained drivers.
- 8.4. Those in support of the removal of the KOP considered the KOP was no longer relevant due to the electronic navigation systems available and others recognised it would result in an increase in drivers which would support the community and economy.

- 8.5. Part Two requested a view as to whether a private hire driver who had worked for 3 or more years should not be required to undertake a knowledge of Plymouth test if they wished to become a hackney carriage driver.
- 8.6. 375 responses were received. 224 (60%) of the respondents were in favour of the proposal and 151 (40%) were against the proposal. Full comments are available in Appendix D. Many repeated their previous concerns about the removal of the KOP test, although some recognised after driving for 3 years there would be increased knowledge.

Figure 3.



9. Recommendations

- 9.1. Full consideration has been given to the comments; however, it is recognised that the KOP for private hire drivers is a barrier to new applications, and increasing the number of drivers available is required to support the economic and safety needs of the city. This is further supported by the recently issued DfT guidance that also suggest best practice for licensing authorities is for the removal of the KOP test for private hire drivers.
- 9.2. Therefore, an amendment to reflect that the KOP test will only apply to Hackney Carriage Drivers is proposed.
- 9.3. Further proposed amendments will reflect that a private hire driver who has held a licence for 3 or more years will not need to take the KOP test if they wish to apply for a hackney carriage drivers' licence.
- 9.4. All amendments to the policy will be implemented on 1st April 2024, following the remaining matters being decided by Taxi Licensing Committee in due course.

EXECUTIVE DECISION

made by a Cabinet Member



REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – CSLCC04 23/24


Decision				
1	Title of decision: Authorisation to consult on a review of the Hackney Carriage and Private Hire Licensing Policy 2022 and Associated Policies and Conditions.			
2	Decision maker: Councillor Sally Haydon (Cabinet Member for Community Safety, Libraries, Cemeteries & Crematoria)			
3	Report author and contact details: Nicola Horne 01752 304556 E: nicola.horne@plymouth.gov.uk			
4	Decision to be taken: To release for consultation the proposed changes to the Hackney Carriage and Private Hire Licensing Policy 2022 and associated conditions and policies.			
5	Reasons for decision: The Hackney Carriage and Private Hire Licensing is a framework policy and as such Cabinet Member approval is required prior to the commencement of consultation.			
6	Alternative options considered and rejected: The Council has considered leaving the Policy as it was written however there are certain elements of the policy that require amendment, due to the cost-of-living crisis, and for clarity.			
7	Financial implications and risks: None, met through existing budgets.			
8	Is the decision a Key Decision? (please contact Democratic Support for further advice)	Yes	No	Per the Constitution, a key decision is one which:
			x	in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
			x	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1million
			x	is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.

	If yes, date of publication of the notice in the Forward Plan of Key Decisions	
9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:	<p>This report also links to the delivery of the City and Council priorities. In particular:</p> <p>Fewer potholes, cleaner, greener streets and transport:</p> <p>By ensuring Plymouth is a clean and tidy city and a green and sustainable city that cares for its environment; has a vibrant economy offering quality jobs and skills; and has a varied, efficient and sustainable transport network.</p> <p>Keeping children, adults and communities safe:</p> <p>By ensuring Plymouth is a friendly, welcoming city, making sure people feel safe in the city, protecting children, young people and adults.</p>
10	Please specify any direct environmental implications of the decision (carbon impact)	None.

Urgent decisions

11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No	x	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			

Consultation			
I3a	Are any other Cabinet members' portfolios affected by the decision?	Yes	
		No	x (If no go to section I4)
I3b	Which other Cabinet member's portfolio is affected by the decision?		
I3c	Date Cabinet member consulted		
I4	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes	
		No	x If yes, please discuss with the Monitoring Officer
I5	Which Corporate Management Team member has been consulted?	Name	Dr Ruth Harrell
		Job title	Director of Public Health
		Date consulted	04 October 2023
Sign-off			
I6	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS55 23/24
		Finance (mandatory)	HLS041023
		Legal (mandatory)	IW – 0001760 – 12.10.23
		Human Resources (if applicable)	
		Corporate property (if applicable)	
		Procurement (if applicable)	
Appendices			
I7	Ref.	Title of appendix	
	A	Briefing report for publication (<i>mandatory</i>)	
	B	Equalities Impact Assessment (<i>where required</i>)	
Confidential/exempt information			
I8a		Yes	

	Do you need to include any confidential/exempt information?	No	<input checked="" type="checkbox"/>	If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below. (Keep as much information as possible in the briefing report that will be in the public domain)				
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:							
Background Papers								
19	Please list all unpublished, background papers relevant to the decision in the table below. Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Cabinet Member Signature								
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.							
Signature			Date of decision	06 October 2023				
Print Name	Councillor Sally Haydon							

Briefing Note

Background

- 1.0 The Council adopted its third Hackney Carriage and Private Hire Licensing Policy (“Taxi Policy”) in May 2022, which updated the licensing framework required to regulate hackney carriage and private hire (taxi) services within Plymouth.
- 1.1 The Taxi Policy is framed by virtue of the powers granted to the Council by Town and Police Clauses Act 1847, the Plymouth City Council Act 1975, and the Plymouth City Council Act 1987.
- 1.2 This report outlines several proposed changes to the Taxi Policy and associated policies and conditions that are considered necessary when taking account of the economic and operational changes that have arisen since policy implementation in May 2022.
- 1.3 The democratic process that the proposed amendments to the Taxi Policy must go through is determined by the Council Constitution which can be found [here](#): page 71.

Appendix 1, page 15, summarises the democratic process, and some decisions are for the Taxi Licensing Committee to make, and others are for Full Council to determine. This decision is to agree to consult the taxi trade on the proposed changes for a period of 4 weeks.

2.0 Proposed changes to the Livery Policy 2022 (Full Council Decision)

- 2.1 The Taxi Policy introduced the Livery Policy 2022 which can be found at the following [link](#):
- 2.2 The Council and Officers have reviewed the Livery Policy after listening to feedback from vehicle proprietors, drivers and the wider taxi trade and have taken into consideration the continuing financial burden that is currently being faced due to the cost-of-living crisis pressures.
- 2.2 In addition it is accepted that the supply of new and second hand, ‘all white’ Euro 6, wheelchair accessible hackney carriage vehicles is severely limited with a continuing national shortage of the supply of vehicles of this specification and colour.
- 2.3 Furthermore, while there is a wide range of Euro 6 vehicles available to be licensed as private hire vehicles in Plymouth, the current policy requirement that these vehicles cannot be white severely reduces the number of vehicles that are available to be licensed.
- 2.4 It is therefore proposed to remove/revoke the Livery Policy for hackney carriage and private hire vehicles in its entirety from the Taxi Policy and the associated hackney carriage and private hire vehicle conditions.
- 2.5 Although it is proposed to remove/revoke the Livery Policy, it is the Officers view that the requirement for hackney carriage vehicles to display door signage in accordance with the design approved and supplied by the Council on the driver and front passenger door should,

be maintained. In addition to the tout light and the licence plate, the door signage increases the visibility of hackney carriage vehicles and supports public safety/ security as customers can be confident that the taxi is properly licensed especially in relation to vulnerable clients transported at night.

This requirement can be applied through the hackney carriage vehicle conditions, and it is therefore proposed that the following condition is added to them:

Front Door Signage

Each Hackney Carriage shall display signs on the front passenger and driver's door in accordance with the design approved and supplied by the Council. The signs shall be constructed of vinyl and be applied directly to the driver and front passenger door.

- 2.7 It is proposed that where a hackney carriage vehicle has been licensed for a temporary period for example where a rental vehicle is used after accident or garaged for repair, the following wording would be added to the conditions:

Temporary Vehicles

In exceptional circumstances, where a temporary vehicle license is issued it will be exempt from displaying front door signage.

If these proposals are approved, then the private hire vehicle and hackney carriage vehicle conditions and specification documents will also be updated to reflect these changes.

3.0 Topographical Test/Knowledge of Plymouth (Full Council Decision)

- 3.1 After the Taxi Policy and associated guidance documents and conditions were approved by the City Council on 21 March 2022, there was an error in wording that was brought to Officers attention that incorrectly stated that the requirement for the Knowledge of Plymouth test (KOP) for new applicants only applied to those wishing to be hackney carriage drivers. This mistake was subsequently rectified by Full Council in May 2022 so that both hackney carriage and private hire driver applicants are required to take the KOP test.
- 3.2 During the 2 months that it took to rectify the mistake, taxi licensing saw a sharp increase in new applicants wishing to become licensed private hire drivers. All of Plymouth's main private hire operators reported an increase in enquiries for new drivers wishing to become private hire drivers. Plymouth like many other cities is struggling to encourage new drivers to the trade, and Officers have considered the benefit of the KOP for all drivers, due to the differences in how the fares are obtained between the hackney carriage and private hire drivers.
- 3.3 Private hire drivers cannot work without a GPS system or app which is accessed through their own smart phone. Modern dispatch management and booking systems send bookings

direct to the drivers' data pads, which along with details of the bookings show, via the inbuilt GPS navigation system, the most direct route to take. The routes take account of local traffic conditions at the time of the booking. There is a valid argument that a private hire drivers' topographical knowledge does not need to be as detailed as a hackney carriage driver who can 'ply for hire' and must determine the most suitable and direct route etc while by the roadside and enroute.

- 3.4 In light of modern technological methods of delivering work to private hire drivers through data pads, which plan the route automatically, Officers have been considering whether there is still a requirement for private hire driver applicants to sit the KOP, as it appears that this is a barrier to attracting new drivers into the private hire trade.
- 3.5 It is important to note that not all operators, such as those who operate school contracts or fixed contracts use dispatch management systems so these operators will be required to provide a form of electronic navigational system (GPS)
- 3.6 It is recognised that some private hire drivers may wish to switch to being a hackney carriage driver. In these cases, the applicant will still be required to sit the KOP test unless they have been in the trade for 3 years or more, where it is recognised that their knowledge of the local area would have increased.
- 3.7 It is therefore proposed that the requirement to take the KOP test remains for hackney carriage drivers but is removed for private hire drivers.

4.0 Certificate of Good Conduct (Taxi Licensing Committee decision)

- 4.1 The Taxi Policy requires all applicants who are a foreign national or a UK National but have lived for a period of three months or more in another Country, to obtain a Certificate of Good Conduct (COGC) from the relevant UK Embassy or Consulate of the relevant country(s) where they have resided. This is in addition to any requirement to obtain a DBS certificate.
- 4.2 Some applicants can demonstrate that there are clear and compelling reasons for them to be granted 'Exceptional Circumstances' to allow that applicant to be exempt from providing a COGC. These are:
- They have spent the majority of their adult life in this country (including five continuous years immediately prior to applying for the licence).
 - They cannot obtain a COGC from the relevant country (for example, they are an asylum seeker or a refugee, or no known process)
 - That an enhanced DBS will provide information covering a sufficient period of their adult life to allow a determination on the applicant's fitness and propriety to be made.
- 4.3 The basis for suggesting that the exemption only applies to those who have resided in the UK for the majority of their adult life is that this would mean that the enhanced DBS is likely to provide sufficient information for a decision to be made on their fitness to be a licensed driver in that it will cover the largest part of their adult life.

This requirement is seen as excessive and excludes many drivers from entering the taxi/private hire trade in Plymouth.

- 4.4 After further legal consideration and clarification from the Home Office it is proposed that the requirement for an applicant to have spent the majority of their adult life in the UK is amended to having to have lived in the UK for 10 years or more. It is the Officers view that

10 years or more in the UK will provide sufficient DBS records to establish whether the applicant is a fit and proper person to hold a licence. Therefore, it is proposed that the wording in section 7.2 of the Taxi Policy is amended to state:

7.2 If within 10 years of the date of application or renewal you have lived outside of the UK for a continuous period of 3 months or more since the age of 18 you must obtain a certificate of good conduct from the country or countries that you have lived in.

- 4.5 It is also proposed to add new wording into the policy for existing drivers who have been licensed for more than 5 years and who have spent 3 months or more outside of the UK to renew without a COGC or for Taxi Licensing Committee to make a decision dependent on the reason and justification for the absence. Therefore, it is proposed that the following wording is inserted to state:

Where an existing driver (who has held a licence for 5 years or more), has lived outside the UK for a continuous period of 3 months or more and cannot provide a COGC the Council reserves the right to allow the licensed driver to continue without the COGC or to review the current licence at Taxi Licensing Committee.

5.0 Dress Code (Taxi Licensing Committee)

- 5.1 To ensure that the hackney carriage and private hire trade portrays a professional image and to ensure that driving is carried out safely, the Taxi Policy introduced the Dress Code in May 2022.

This was inserted into the [Code of Good Conduct for Licensed Drivers - Hackney carriage and Private Hire](#).

- 5.2 Contraventions of the Dress Code can result in the driver receiving penalty points leading to a review of their licence should they receive 12 or more points within a rolling 36-month period.
- 5.3 Whilst the dress code has been widely welcomed and accepted by the trade there have been continuing objections to the rule that denim jeans are not permitted. Members and Officers have listened to the arguments for and against this ruling and reviewed the situation and consider that the wording should be amended to allow the wearing of black denim jeans:

Trousers/Shorts/Skirts

Long legged trousers or black denim jeans, knee length tailored shorts, knee length skirt or dress.

- 5.4 The condition of the clothing is covered within the existing dress code through:

“All clothing worn by the driver must be clean and in good condition, and the driver must have good standards of personal hygiene.”

6.0 PHD & HCD New Driver Applicants Driver Endorsements (Taxi Licensing Committee)

- 6.1 It is a requirement for new and existing drivers under the Taxi Policy to meet the criteria set out in the Guidance on the Relevance of Convictions and Conduct. (GRCC)
- 6.2 Where an existing driver receives points or convictions on their driver’s licence (DVLA) there are provisions in the GRCC to deal with them either by warning from taxi licensing or through review of their hackney carriage or private hire driver’s licence at taxi licensing committee.
- 6.3 Where a new applicant has accumulated points on their DVLA licence prior to application there have been occasions where they do not fall under the GRCC requirements as the policy requires an applicant to go to committee if they either have six or more points arising from convictions in the last two years or they have received more than three penalty points in the twelve months prior to applying for a licence.
- 6.4 In addition, the existing GRCC does not allow the Council to consider an applicant’s pattern of offending through historic convictions or endorsements as it can with existing licensed drivers.
- 6.5 Therefore, there is disparity between the requirements for new and existing drivers and Officers propose to amend the motoring convictions wording of the GRCC for new applicants to resolve this. The proposed amended wording is shown in the table below.

Penalty points on a licence	
	Any applicant who applies to be a hackney carriage or private hire driver whose license has been endorsed with more than six points in the last two years on their licence, will not be granted a licence until two years after the last endorsement or conviction.
	Any applicant who applies to be a hackney carriage or private hire driver and their driving licence record demonstrates a pattern of offending through convictions or endorsements, the Council reserves the right to review their licence application at Taxi Licensing Committee.

7.0 Card Payments (Taxi Licensing Committee decision)

- 7.1 The Taxi Policy introduced the requirement for the hackney carriage and private hire trade to have the facility to take electronic (card) as well as cash payments. The requirement was inserted into the hackney carriage and private hire vehicle conditions.
- 7.2 In addition, the current wording requires the card reader to ‘be placed in a plastic partition between the driver and passenger’ and that faults must be rectified within three days.

- 7.3 While the requirement to have a working card reader is clear and the ability to take payments by this method is implied, the wording needs to be amended for clarity and to remove any ambiguity about providing this method of payment to customers.
- 7.4 For driver operation and in practical terms the requirement for the card reader to be placed in a plastic partition between the driver and passenger is considered onerous and not required. Provided a working card reader is available and accessible to customers it should be at the driver's decision where this is placed.
- 7.5 It is therefore proposed that the hackney carriage and private hire vehicle conditions are amended to state:

Hackney carriage Vehicle Conditions

9.0 Payments

- 9.1 All hackney carriage vehicles must have a card payment reader with the ability to always take contactless payments in the vehicle for use by customers.
- 9.2 Card payment readers must be kept in working order and any faults rectified before accepting any customers.
- 9.3 You must provide a receipt for payment if requested.

Private hire vehicle Conditions

- 9.1 All private hire vehicles must provide a card payment reader with the ability to always take contactless payments in the vehicle for use by customers.
- 9.2 Card payment readers must be kept in working order and any faults rectified before accepting any customers.
- 9.3 You must provide a receipt for payment if requested.

8.0 Private Hire and Hackney Carriage Penalty Points Scheme (Taxi Licensing Committee)

- 8.1 The Penalty Points Scheme was introduced into policy during the last Policy review to provide a more balanced, consistent, and transparent approach to enforcement against licence holders who commit minor offences and can be considered a more structured and formalised method of issuing warnings.
- 8.2 The scheme does not prevent the Council from taking any other enforcement actions it is entitled to take under legislation or byelaws. Penalty points will not be added to the person's record where they are dealt with by alternative sanctions.

- 8.3 Under the current scheme where a licence holder accumulates 12 points or more within a rolling period of 36 months their licence will be subject to a review by the Taxi Licensing Committee. After being in operation for more than a year it is the Officers view that the wording is amended to reflect that if a licence holder has accumulated 12 points or more within a 36-month period and they have had their licence reviewed by Committee that their points have been 'discharged' and they start from zero again.
- 8.4 Officers consider that this approach is fair and proportionate for minor offences and that should points be accumulated again quickly, then any previous history of noncompliance can be taken into consideration by Committee, should the licence holder appear before them again.
- 8.5 Officers therefore propose that the following wording is inserted to state:

If a licence holder accumulates 12 points or more within a rolling period of 36 months, then their licence will be subject to a review by the Taxi Licensing Committee. Once the Committee have considered the matter, the points will be considered as spent and therefore excluded from the running total recorded against any individual licensee. The Council reserves the right to take into consideration previous points accumulation and pattern of history should the 12-point threshold be reached again.

- 8.6 Officers also consider that the following additional minor offences should be added to the hackney carriage and private hire infringements tables:

Point Code	Offence / breach of condition or policy	Points	Driver	Vehicle proprietor	Regulatory framework
H38 (insertion)	Failure to display required signage and/or displaying unsuitable or inappropriate sited signs in or on the vehicle	4	√	√	Hackney carriage Vehicle Conditions Hackney carriage Vehicle Specification and Vehicle Compliance Testing Manual
P32 (amendment)	Failure to display required signage and/or displaying unsuitable or inappropriate sited signs in or on the vehicle	4	√	√	Private hire vehicle Conditions Private hire vehicle Specification and Vehicle Compliance Testing Manual
H39 (insertion)	Failure to provide working card machine for customer use.	6	√	√	Conditions of Licence Hackney Carriage Vehicle
P33 (insertion)	Failure to provide working card machine for customer use.	6	√	√	Conditions of Licence Private Hire Vehicle

9.0 PHV Vehicle Specifications (Taxi Licensing Committee Decision)

Wheelchair accessible vehicles

- 9.1 Taxi Policy prescribes the minimum standards a vehicle must satisfy to be licensed as a hackney carriage or private hire vehicle by Plymouth City Council. All hackney carriages must be wheelchair accessible whereas private hire vehicles can be wheelchair accessible, but it is not a formal requirement for a vehicle licence.
- 9.2 Private hire vehicles are required to be fitted with at least four doors with two passenger doors at the rear with a door situated on each side of the vehicle for the use of passengers. Rear opening doors are not counted for the purpose of this specification.
- 9.3 While this specification is suitable for the average private hire vehicle, the requirement to have opening doors on both sides for passengers generates a problem with the availability of those private hire vehicles that are wheelchair accessible and are fitted with tail lifts.
- 9.4 Vehicles available with 2 side loading doors other than the rear door are becoming increasingly difficult to source from manufacturers and specialist vehicle converters. Discussions with manufacturers and vehicle conversion specialists indicate that 99% of the vehicles they provide to the private hire trade are with one side loading doors. Manufacturers also state that only one side loading door is safe in the event of an emergency as most of the side doors are nearly 5ft wide opening for easy access in and out of the vehicle (along with the rear door (s)).
- 9.5 Officers offer reassurance that vehicle safety will not be compromised should this amendment be accepted as the vehicle conditions and specifications retain the requirement that they must have M1 classification from the Vehicle Certification Agency, be of fixed head design (i.e., no convertible vehicles) and fully comply with all aspects of the Vehicle Compliance Testing Manual.
- 9.6 M1 category vehicles are designed and constructed for the carriage of passengers and comprising no more than eight seats in addition to the driver's seat and having a maximum mass ("technically permissible maximum laden mass") not exceeding 3.5 tons. Converted vehicles are subjected to an IVA test to be classified as M1.
- 9.7 It is the Officers view that removing the requirement for wheelchair accessible private hire vehicles to have passenger doors on both sides of the vehicle will encourage investment in newer wheelchair accessible vehicles by not making this investment cost prohibitive. It is hoped that this amendment will facilitate an increase in more licensed vehicles of this type to be able to provide a service for disabled customers without compromising on passenger safety.

The proposed wording can be seen in 'Wheelchair Accessibility' Appendix 2, page 16.

- 9.8 The current vehicle specifications policy for private hire vehicles does not state that vehicles must be able to carry 4 adults in comfort. This is an omission, and the wording needs to be amended to reflect this requirement. The proposed wording can be seen in 'Seating' Appendix 2, page 16.
- 9.9 Vehicle design and safety standards has advanced over recent years. Rear fold away seats located in the boot are not permitted to be used under the current policy however after careful consideration it is Officers view that, where it is safe and suitable, these seats should be allowed subject to conditions. Therefore, it is proposed that the seating wording is amended to reflect this. The proposed wording can be seen in 'Seating' Appendix 2, page 16.
- 9.10 As with vehicle design and safety standards vehicle engines have advanced considerably in the last years. Smaller more efficient and environmentally friendly engines can now deliver as much power as older and larger capacity engines. To reflect this advancement, it is proposed that the private hire vehicles engine must not be less than 1290cc is removed from the vehicle specifications.

Appendix I

Democratic Process

Report Section	Policy Subject/Area	Changes Required	Full Council or TL Committee
2	Livery Policy 2022	Revoke full livery requirement & retain door signage	Full Council
3	Topographical Test (Knowledge of Plymouth)	Remove requirement for new private hire driver applicants to take and retain for hackney carriage drivers	Full Council
4	Certificate of Good Conduct	Change requirement for amount of time living in country from majority of adult life to more than 10 years in line with Barrister advice and Home Office guidance	TL Committee
5	Acceptable Standard of Dress (Dress Code)	Change of wording required to allow black denim, see review document for suggested wording.	TL Committee
6	PHD & HCD New Driver Applicants (Accumulation of licence endorsements before application)	Amend wording to cover new applicants who have more than 6 points on licence	TL Committee
7	Hackney carriage Conditions of Licence. (Card Holder) Fixing Point and must be operational and offered.	Amend card reader wording for clarity. Remove requirement for card reader fixture.	TL Committee
8	Changes to penalty Point Scheme	Review of what happens when 12 points reached i.e., points go back to nil or rollover etc, and Insertion of points for additional minor offences.	TL Committee
9	Private hire vehicle Specifications	Amend to allow PHV WA/tail lift vehicles to only have 1 side door. Add requirement for minimum of 4 adults to private hire vehicle specs. Amend seating requirements to allow for rear folding seats where safe and suitable. Remove engine capacity.	TL Committee

Appendix 2 Proposed Amendments to Private Hire Vehicle Specifications Wheelchair Accessibility

Remove the following:

1. The Council will licence private hire vehicles that are capable of carrying a wheelchair.
2. Where the licensed vehicle is capable of carrying wheelchairs, all wheelchair securing devices, fixtures and fittings as specified by the vehicle manufacturer must be available for use and kept in good working order.

Replace with:

Wheelchair Accessibility

1. It is accepted that in some cases private hire vehicles need specific capability for carrying a passenger in whilst in a wheelchair.
2. These vehicles must be fitted with at least 3 doors with one door situated at the near side rear to allow convenient egress from the vehicle.
3. The driver's door must be situated on the offside and the front passenger door situated on the nearside of the vehicle to allow convenient egress from the vehicle.
4. Sliding doors are permitted to the near side rear. Any sliding door must be fitted with a device that will illuminate a sign mounted on the rear of the vehicle, which warns following traffic that the doors are opening.
5. Rear loading wheelchair access is permitted. These vehicles must be fitted with a back opening door and fitted with a tail lift or ramp mechanism to allow wheelchair(s) to be loaded whilst the passenger is in the wheelchair if required.
6. Ramps may also be used for the loading and unloading of wheelchairs from the rear or side rear side of the vehicle.
7. Passenger doors and the back opening door must be capable of being readily opened from the inside and outside of the vehicle by one operation of the latch mechanism.
8. Where the licensed vehicle is capable of carrying wheelchairs, all wheelchair securing devices, fixtures and fittings as specified by the vehicle manufacturer must be available for use and kept in good working order.

Seating

1. No vehicle shall have more than 8 passenger seats (excluding the driver seat)
2. The vehicle must be so constructed to carry a minimum of four passengers, with provision for one passenger seated beside the driver, and three passengers occupying the rear seats in comfort.
3. Where separate forward-facing seats are provided, each seating position shall be counted where a properly functioning seatbelt is provided.
4. Where a continuous forward-facing seating is provided, each seating position shall be counted where a properly functioning seatbelt is provided.

5. All licenced passenger seats will be suitably designed for an adult passenger. We are aware that some manufacturers produce vehicles with seats that take up much of the boot compartment. All seats must be of a standard size not a child's seat and that there is suitable head room for adults. In addition there must be suitable leg room for all adults when the vehicles seats are all taken.
6. Foldaway child seats located in the boot compartment should not generally be licensed as passenger seating for private hire services, on the grounds of suitability, passenger safety, comfort and reasonable leg room. There may be grounds to licence these seats for restricted operations, such as seaside and moorland tours,
7. Fold away seats will not count towards the overall passenger seating capacity of the vehicle.

Remove the following

8. It is accepted that these vehicles may not be suitable for passengers with luggage or for long journeys and consideration must be taken when booked that the journeys are local.

TAXI LICENSING POLICY OCTOBER 2023

Consultation Questions



The Council is consulting on proposed amendments to the Hackney Carriage and Private Hire Licensing Policy 2022 and associated guidance documents between 24 October to 23 November 2023.

The Executive Decision report can be found at:

[Decision - Authorisation to consult on a review of the Hackney Carriage and Private Hire Licensing Policy 2022 and Associated Policies and Conditions - Modern Council \(plymouth.gov.uk\)](#)

The location of the current Hackney Carriage and Private Hire Policy and Associated Policies/Conditions of Licence can be found at: [Taxi licensing | PLYMOUTH.GOV.UK](#)

1. Which of the following applies to you?

- I own a private hire vehicle*
- I own a hackney carriage vehicle*
- I am a private hire/restricted driver*
- I am a private hire operator*
- I am a hackney carriage driver*
- I am a member of the public/stakeholder*
- None of the above*

2. Livery Policy

Plymouth City Council (PCC) introduced a Livery Policy in May 2022. The Livery Policy requires new hackney carriage vehicles entering the fleet from 1 May 22 and existing hackney carriage vehicles to comply with the livery (colour scheme) requirements by 1 May 2027. It is also a requirement that new private hire vehicles entering the fleet cannot be white in colour.

It is proposed that the livery requirement is removed for both hackney carriage and private hire vehicles and that hackney carriage vehicles retain the requirement to have front door signage.

Do you agree that the livery for licensed vehicles should be removed from taxi policy and hackney carriage front door signage be retained.

- **Yes**, Livery requirement should be removed:
- **No**, Livery requirement should be retained:

Comments:

3. Topographical/Knowledge of Plymouth Test

It is a requirement for all new applicants wishing to become a private hire or hackney carriage driver to pass a topographical/knowledge of Plymouth test (K.O.P)

It is proposed to remove this requirement for applicants who wish to obtain a private hire drivers' licence and retain this requirement for those who wish to apply to be a hackney carriage driver.

If this proposal is approved, it is further proposed that if a private hire driver has held a licence for 3 or more years, ~~that~~ they will not need to then undertake a K.O.P test to obtain a hackney carriage drivers' licence.

Do you agree to remove the requirement for a K.O.P test for new private hire drivers?

- **Yes**
- **No**

Do you agree that a private hire driver who has held a licence for 3 years or more who wishes to become a hackney carriage driver will not need to take the K.O.P test?

- **Yes**
- **No**

Comments:

4. Certificate of Good Conduct (COGC)

The Taxi Policy requires all applicants who are a foreign national or a UK National but have lived for a period of three months or more in another Country, to obtain a Certificate of Good Conduct (COGC) from the relevant UK Embassy or Consulate of the relevant country(s) where they have resided. This is in addition to any requirement to obtain a DBS certificate.

Some applicants can demonstrate that there are clear and compelling reasons for them to granted 'Exceptional Circumstances' to allow that applicant to be exempt from providing a COGC. These are:

- They have spent the majority of their adult life in this country (including five continuous years immediately prior to applying for the licence).
- They cannot obtain a COGC from the relevant country (for example, they are an asylum seeker or a refugee, or no known process)
- That an enhanced DBS will provide information covering a sufficient period of their adult life to allow a determination on the applicant's fitness and propriety to be made.

The basis for suggesting that the exemption only applies to those who have resided in the UK for the majority of their adult life is that this would mean that the enhanced DBS is likely to provide sufficient information for a decision to be made on their fitness to be a licensed driver in that it will cover the largest part of their adult life.

After further legal consideration and clarification from the Home Office it is proposed that the requirement for an applicant to have spent the majority of their adult life in the UK is amended to having to have lived in the UK for 10 years or more.

It is the Officers view that 10 years or more residency in the UK will provide sufficient DBS records to establish whether the applicant is a fit and proper person to hold a licence. Therefore, it is proposed that the wording in section 7.2 of the Taxi Policy is amended to state:

7.2 If within 10 years of the date of application or renewal you have lived outside of the UK for a continuous period of 3 months or more since the age of 18 you must obtain a certificate of good conduct from the country or countries that you have lived in.

Do you agree that the policy should be amended?

- **Yes**
- **No**

Comments:

It is also proposed to add new wording into the policy for existing drivers who have been licensed for more than 5 years and who have spent 3 months or more outside of the UK to renew without a COGC or for Taxi Licensing Committee to decide dependent on the reason and justification for the absence.

Therefore, it is proposed that the following wording is inserted to state:

Where an existing driver (who has held a licence for 5 years or more), has lived outside the UK for a continuous period of 3 months or more and cannot provide a COGC the Council reserves the right to allow the licensed driver to continue without the COGC or to review the current licence at Taxi Licensing Committee.

Do you agree that the proposed changes to the requirements to obtain a COGC:

- **Yes**
- **No**

Comments:

5. Acceptable Standard of Dress (Dress Code)

Plymouth City Council proposes to permit the wearing of black denim jeans in the dress code.

Do you agree to the proposed amendment to the dress code:

- Yes
- No

Comments:

6. Private Hire Driver and Hackney Carriage Driver New Driver Applicants Driver Endorsements

It is a requirement for new and existing drivers under the Taxi Policy to meet the criteria set out in the Guidance on the Relevance of Convictions and Conduct. (GRCC)

Where an existing driver receives points or convictions on their driver's licence (DVLA) there are provisions in the GRCC to deal with them either by warning from taxi licensing or through review of their hackney carriage or private hire driver's licence at taxi licensing committee. Where a new applicant has accumulated points on their DVLA licence prior to application there have been occasions where they do not fall under the GRCC requirements as the policy requires an applicant to go to committee if they either have six or more points arising from convictions in the last two years or they have received more than three penalty points in the twelve months prior to applying for a licence.

In addition, the existing GRCC does not allow the Council to consider an applicant's pattern of offending through historic convictions or endorsements as it can with existing licensed drivers.

Therefore, there is disparity between the requirements for new and existing drivers and Officers propose to amend the motoring convictions wording of the GRCC for new applicants to resolve this.

It is proposed to remove the disparity in the Guidance on the Relevance of Convictions and Conduct (GRCC) between the requirements for new and existing drivers with regards to motoring convictions.

Do you agree with the proposal to amend the GRCC with regards to motoring convictions.

- Yes
- No

Comments:

7. Card Payments

It is proposed to amend the hackney carriage and private hire vehicle conditions to ensure that working card readers are always used and remove the requirement for locating the card readers in fixed positions.

Do you agree to the proposed amendments to the card reader requirements:

- Yes
- No

Comments:

8. Private Hire and Hackney Carriage Penalty Points Scheme

Under the current scheme where a licence holder accumulates 12 points or more within a rolling period of 36 months their licence will be subject to a review by the Taxi Licensing Committee. After being in operation for more than a year it is proposed that the wording is amended to reflect that if a licence holder has accumulated 12 points or more within a 36-month period and they have had their licence reviewed by Committee that their points have been 'discharged' and they start from zero again.

It is proposed to amend the penalty system to state

If a licence holder accumulates 12 points or more within a rolling period of 36 months, then their licence will be subject to a review by the Taxi Licensing Committee. Once the Committee have considered the matter, the points will be considered as spent and therefore excluded from the running total recorded against any individual licensee. The Council reserves the right to take into consideration previous points accumulation and pattern of history should the 12- point threshold be reached again.

Do you agree to the proposed amendments to the Penalty Points Scheme

- Yes
- No

Comments:

It is also proposed to introduce the addition of **penalty** points for failure to display required signage and/or displaying unsuitable or inappropriate sited signs in or on the vehicle and for failure to provide working card machine for customer use.

Do you agree to the proposed amendments to include these penalty points?

- **Yes**
- **No**

Comments:

9. Private Hire Vehicle Specifications

Taxi Policy prescribes the minimum standards a vehicle must satisfy to be licensed as a hackney carriage or private hire vehicle by Plymouth City Council. All hackney carriages must be wheelchair accessible whereas private hire vehicles can be wheelchair accessible, but it is not a formal requirement for a vehicle licence.

It is proposed that removing the requirement for wheelchair accessible private hire vehicles to have passenger doors on both sides of the vehicle will encourage investment in newer wheelchair accessible vehicles by not making this investment cost prohibitive. It is hoped that this amendment will facilitate an increase in more licensed vehicles of this type to be able to provide a service for disabled customers without compromising on passenger safety.

It is proposed to amend the PHV vehicle specifications to wheelchair accessible/tail lift vehicles to not be required to have loading doors on **both** sides of the vehicle.

Do you agree to the proposed amendments to the Private Hire Vehicle Specifications:

- **Yes**
- **No**

Comments:

The current vehicle specifications policy for private hire vehicles does not state that vehicles must be able to carry 4 adults in comfort. This is an omission, and the wording needs to be amended to reflect this requirement.

Do you agree to the proposed amendments to the Private Hire Vehicle Specifications:

- **Yes**
- **No**

Comments:

As with vehicle design and safety standards vehicle engines have advanced considerably in the last years. Smaller more efficient and environmentally friendly engines can now deliver as much power as older and larger capacity engines. To reflect this advancement, it is proposed that the private hire vehicles engine must not be less than 1290cc is removed from the vehicle specifications.

Do you agree to the proposed amendments to the Private Hire Vehicle Specifications:

- **Yes**
- **No**

Comments:

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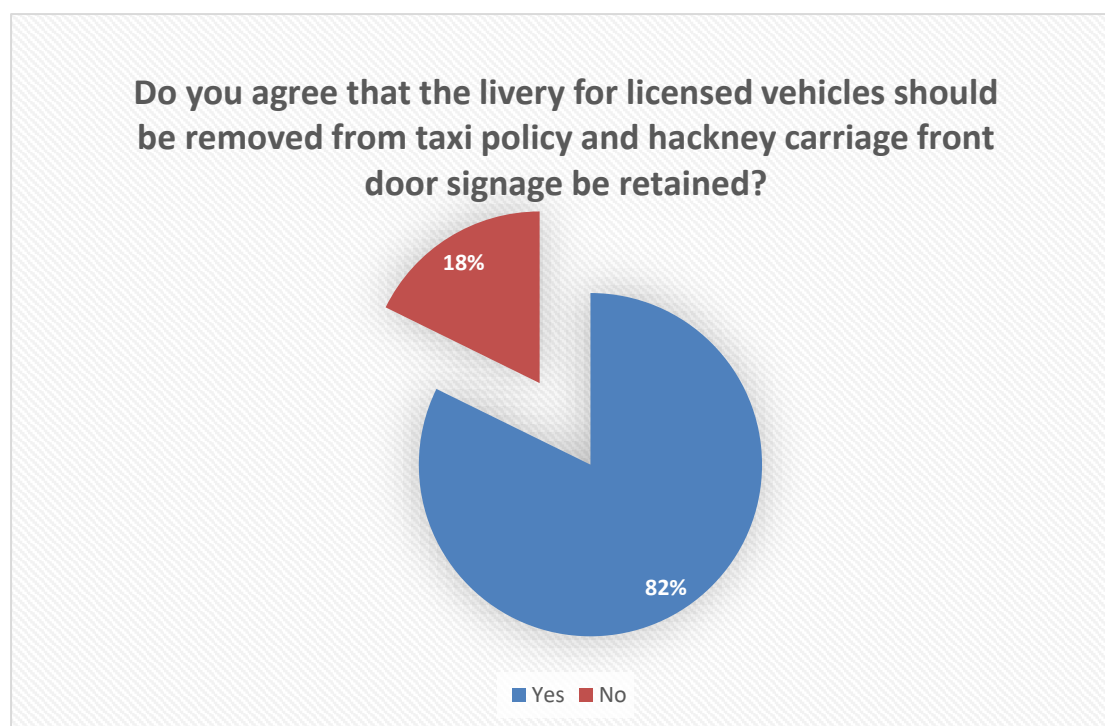
Full Comments received to the online consultation

Question 2 Livery

In total 378 responses were received for Question 2:

Do you agree that the livery for licensed vehicles should be removed from taxi policy and hackney carriage front door signage be retained?

378 (82%) of the respondents were in favour of the removal of the livery policy and 67 (18%) were in favour of retaining livery.



130 respondents commented on the proposals.

Plymouth Licensed Taxi Association Response

1. Plymouth Licensed Taxi Association: Registered in England Company No: 05444446.
2. All colours of paintwork should be acceptable as the colour does not affect the quality of service and passengers, on occasion, request a certain colour Taxi, especially children.

All PCC LA Taxis have an illuminated Roof Sign when Plying for Hire. It is an offence for any other vehicle to have an illuminated Taxi Roof Sign within the PCC LA area. Taxis have a plate on the rear and notice inside the vehicle for passengers to see. We submit that there is no requirement for additional signage on the front doors. It is noted that London does not have problem.

The Proposed front door signage is the same as the PCC Vans and other vehicles and is cheap. Plymouth Licensed Taxis deserve better so should door signage continue to be imposed then the Plymouth City Council crest bearing the Plate Number is more appropriate. They could be attached

by magnetism in the same manner as Executive Hire vehicles licensed by the LA. (See the accompanying letter regarding advertising).

ID	Name	Responses
1	anonymous	It's too expensive and can't source white vehicles.
2	anonymous	I must admit they do stand out and look good, but it is the extra cost
3	anonymous	The Livery should be incorporated with the License Plate no that exists on all doors at present
4	anonymous	Green & white livery would increase the public's confidence that they are hailing a properly licensed and approved cab.
5	anonymous	Costly and absolutely pointless
6	anonymous	I think that private hire vehicles should have rear door signs on informing the public which operator they work with for safety reasons. There are too many vehicles with no rear signs in the city
7	anonymous	Never liked the idea of having set colours on our vehicles
8	anonymous	No
9	anonymous	As long as authorised Taxis have the company name, telephone number on the vehicle. Plus any authorised Taxis should have the appropriate licence number displayed.
10	anonymous	No
11	anonymous	I own a hackney carriage vehicle euro 4.why cannot change with one euro 5 to be under the same requirements euro 4?
12	anonymous	It's an extra headache for drivers to paint their car or buying new one. Car prices are touching sky
13	anonymous	Not particularly related to livery but I feel the 2030 timeframe for electric vehicles should be pushed back to 2035 following recent govt changes on electric vehicles.
14	anonymous	the cost to drivers is high, this is unnecessary and is causing issues within the sector.
15	anonymous	I understand why the original plan to go green and White came about but genuinely don't feel that it's a requirement for Plymouth as we have very different vehicle types for Hackney and private hire. If you are going to rescind the rule that Hackney vehicles have to be white then please can you allow private hire vehicles to be white as this colour choice was removed when the new rule came into force

ID	Name	Responses
16	anonymous	Customers that I've had in my car say that it looks like a council van, hackneys with new livery, they say its easy to see a black cab with the roof sign lit to show its for hire.
17	anonymous	No
18	anonymous	Yeah I think scrapping the livery is a good idea as I will be able to upgrade to euro 6 a lot soon because I'll be able to source a vehicle quicker and as for the Hackney front door sticker I think that is a brilliant idea as I have for years believed us Hackneys should have something on are doors
19	anonymous	This is a much more pragmatic way to deal with a difficult problem. I do think that all vehicles, including PHV's, should be obligated to display the logo of the company they currently work with, in order to help safeguard members of the travelling public.
20	anonymous	N
21	anonymous	N
22	anonymous	I object to door signs which damage the paintwork
23	anonymous	Any livery alteration costs should be met by the council, including increased insurance for a modified vehicle and also with leased vehicles, returning the cab to it's original livery which will be required at the end of the lease.
24	anonymous	I believe it should be applicable to new licenses but costs subsidised for existing vehicles
25	anonymous	Was a good idea if the council paid for it. Huge cost to a driver.
26	anonymous	No
27	anonymous	No
28	anonymous	I think it should be removed as a lot of new hybrids and electric cars which the council want us to use as private hire vehicles are easier to buy if white
29	anonymous	There are some vehicles in the livery colours already and these look distinctive and a vast improvement.
30	anonymous	Stupid idea in the first place along with everything else licencing come up with no thoughts for drivers unless you own private hire office,
31	anonymous	While designated vehicles are used as Hackney carriages, then Private hire should be entitled to license White cars as private hire vehicles
32	anonymous	I feel the branding reassuring that as a lobe family I'm getting in a "correct" vehicle.

ID	Name	Responses
33	anonymous	I think we should be able to use a white private hire vehicle
34	anonymous	I firmly believe that the change to green & white is a good idea, it would make legal & licenced taxis clear to the local population & visitors alike. The colour scheme should be consistent throughout
35	anonymous	A livery is a great idea. Unfortunately, for the reasons outlined the consultation proposal, it is unfeasible at this particular time.
36	anonymous	N/A
37	anonymous	Black Cabs with a PCC sticker and plate number is the way forward.
38	anonymous	It is already impossible to tell who's a taxi and who's not, this goes against your own pledge of making Plymouth safer for women and girls. The livery will also make Plymouth a smarter looking city
39	anonymous	Never should have been a requirement in the first place
40	anonymous	do not make any changes
41	anonymous	As it is too expensive, we don't need to spend money on uniforms, shoes and other special stuff for taxi job. This a normal friendly job with close relationships with customers. We should not be very professional, customer feels comfortable with just normal people NOT IN SPECIFIC dress code.
42	anonymous	They look great Green and white
43	anonymous	A complete waste of time, effort, and money which drivers cannot afford, even with the £200 Bursary given by the Council.
44	anonymous	I don't like any type of change
45	anonymous	No
46	anonymous	Some of us have our livery with advertisements on from which we get paid .
47	anonymous	It's just to expensive to have white most cabs come in black and if you spray the cab white you violate the body work guarantee .
48	anonymous	While some cabs need cleaning up a livery is not the answer, I support having the city of Plymouth crest on the doors with the words City of Plymouth Licensed Taxi. As with Private Hire far too many fail to display door signage showing the operator they work under, this can also be treated as a safeguarding issue to assist customers with anxiety issues.
49	anonymous	I feel it would be a good addition to make the door signage to be removable from the vehicle at the end of the evening (maybe magnetic)? With the amount of break

ID	Name	Responses
		ins on taxis over the last 18 months, I feel that this would be a good way to bring these break ins down and save taxi drivers a lot of money in repairs.
50	anonymous	I think Plymouths Coat of Arms Crest would look very professional on our doors Rather than the horrible Green and white sign you intend to use.
51	anonymous	remove the route test
52	anonymous	n
53	anonymous	n
54	anonymous	n
55	anonymous	n
56	anonymous	n
57	anonymous	Too expensive to update fleet
58	anonymous	Provided the signage is clear and the licence details displayed, it would be expedient to remove the livery.
59	anonymous	Livery will add to cost for taxi companies and make it very difficult to sell them when they reach the end of their working lives. The costs will no doubt have to be passed onto the taxi using public. A very bad idea!!!!
60	anonymous	White and green is the iconic color of Plymouth and it would make taxis stand out, so I am all for it.
61	anonymous	PRIVATE HIRE VEHICLES SHOULD BE ANY COLOUR
62	anonymous	To keep as simple as that, the new car is very expensive.
63	anonymous	I totally agree that the existing livery policy should be scrapped.
64	anonymous	I agree but only for new plated taxis. It is too expensive to change a car for a £30000 one just becose does not match the colour
65	anonymous	No
66	anonymous	Should not be removed as we have all worked hard to be in this position.
67	anonymous	It's very-very expensive to paint my car on white and green and for what? What is return of invest with this proposal?
68	anonymous	Makes no difference what colour they are as long as they get you home safe

ID	Name	Responses
69	anonymous	It was a ridiculous proposal the Plymouth City taxi drivers didn't want it as it would cost them their hard earned wages to pay for it ! The members of the public using taxis and hackney cabs don't care what colour their taxi is ! They are just interested in getting to and from their destinations safely . Absolute ridiculous proposal and should be scrapped.
70	anonymous	The cost of livery is too expensive for this trade.
71	anonymous	This is a welcome proposal.
72	anonymous	it is way over dew
73	anonymous	Council should do more to make the livery affordable by seeking sponsorship or loans.... Agree a price with a local garage too so all the wrapping at a discounted price
74	anonymous	Black cap should be always to be a black up, not white and green
75	anonymous	If the council wants to have some control over the livery of hackney carriages they should specify a choice of three colours Black. Dark Blue or Dark Grey these colours seem to be standard across the hackney carriage vehicles available.
76	anonymous	Door signage should be the city of plymouth crest and not council badge
77	anonymous	It is easier for the public to identify licensed vehicles when they are all the same colour. This also gives a sense of security for people who local or are visitors to the city and not sure what vehicles are licensed or not. Research shows that people feel more comforted and assume better service standards and consistency for these vehicles.
78	anonymous	I don't agree with the signage on Hackney carriages. These are too easy to be replicated in magnetic plates. Once a vulnerable passenger they will believe it is a Hackney even if there isn't a taxi sign on top.
79	anonymous	I believe drivers should have the cab the colour of their own choice but should stick with an official door sign but prefer to see the City of Plymouth crest rather than the City Council green logo. Private hire cabs fail to show the stickers of the office they are working for, this is a safeguarding issue, vulnerable people with learning disabilities struggle to identify the right car when not showing the office door signs and number
80	anonymous	I do not believe that taxi driver should have to pay thousands for a livery when everyone knows black cabs are exactly that - black!! They are self employed and don't get an hourly wage like the average job so cannot guarantee an income. I believe Private hire should all have numbers on their doors for public knowledge of who is picking them up. Knowing that they booked a private hire car and seeing like 3 turn up not knowing which one yours is makes it hard. Especially for those with anxiety problems who don't talk to people or the elderly who don't use phones.

ID	Name	Responses
81	anonymous	Yes people come from all over the world to see the iconic black cab so if it should be any colour it should be black
82	anonymous	I think, it is a bit waste of time changing as it will only cost more money to anyone.
83	anonymous	I'd leave the trade if its not scrapped I'm 58 years old little job with amazon will see my working days out
84	anonymous	Obviously the livery policy implemented was a pipe dream with little thought on its impact. Make the livery policy easily achievable and at minimum cost.
85	anonymous	It costs too much money to change and with the cost of living it's impossible.
86	anonymous	No comments
87	anonymous	A lot of unnecessary expenses for the owner
88	anonymous	No
89	anonymous	No
90	anonymous	I'm restricted driver . I want to tell you my opinion. All private hire going with needed cop and going by there app , but why the restricted driver can not do same as private hire taxi ? I want to do private hire taxi but I need to study the knowledge test . I need time to study . In my opinion all of the privet hire taxi going by there apps . for that reason we don't need to do the knowledge test because we will go by their apps .
91	anonymous	No comments
92	anonymous	Private hire: Looking to by my own Taxi, I found some bargains but I couldn't have them because they're white, frustrating. Hackney carriage: Sometime people say "Why the Black Cabs are not Black anymore?" And me, trying to find a purpose I say "To be more visible during the night" but, I think the same, Black Cabs should be Black.
93	anonymous	All looking uniform I like. However some kind of incentive to help towards the cost of changing vehicle colour / livery should be taken into consideration
94	anonymous	Correct decision, all things considered.
95	anonymous	No comment
96	anonymous	YES U FORCED ME INTO GETTING THIS DONE AND GOT ME INTO DEBT AND NOW YOUR THINKING OF CHANGING THIS BACK AGAIN IVE HAD NO SUPPORT FINANCIALLY IN UPGRADEING FROM PLYMOUTH CITY COUNCIL OR ANYONE ELSE IVE BEEN FORCED TO WORK MANY MORE HOUR TO PAY FOR THIS.AND 90% OF THE DRIVERS/OWNERS ACTUALLY

ID	Name	Responses
		LIKE THE COLOUR & MANY PASSENGERS HAVE COMMENTED THAT IT LOOKS FANTASTIC.
97	anonymous	Don't think a colour matters a taxi has a light on the roof indicating it is available for hire it also has a licence plate on the rear for identification. There is no need for any other form of signage on vehicles as they are recognised world wide and it spoils the appearance
98	anonymous	No
99	anonymous	Easy to identify
100	anonymous	A Two answer facility when a Third was required. Remove the Livery Requirement and the front door signage. Neither are required.
101	anonymous	Nowhere else in the country has it so why should we? And hackney livery (advertising) makes cabs stand out
102	anonymous	The new colour stands out
103	anonymous	Upon returning to the trade Feb 2023 after nearly 20 months out due to a medical incident after the 1st vaccination, I was buzzing to get back taxiing. After ordering a new car online I booked it in for the required checks and tests only to be told it had failed on the colour!!!! It was WHITE!!!! I didn't read about the changes/livery brought in while I wasn't able to work so to say I was devastated was an understatement. I paid £1500 to get it wrapped in an allowed colour and got back on the road although not happy after having to spend money on the wrap, money I didn't have. Now I find that the livery policy might be getting scrapped and all I feel is pure anger. I think its a disgusting way to treat professional drivers who work extremely hard to make an honest living but all that seems to happen is us getting punished financially. £1500 for a wrap that possibly wouldn't have been needed!!!! Absolutely outrageous
104	anonymous	It makes the taxis stand out and safe
105	anonymous	We do not need a Colour scheme
106	anonymous	door signage not required people the world over know a TAXI has a yellow light with the word TAXI. Doors are a place for advertising as is the whole of the vehicle, is this giving revenue towards income and maintenance. Vehicle would look like council gardeners vans. Leave alone the people of plymouth are not as thick as your making out.
107	anonymous	Waste of money looks terrible
108	anonymous	I learn 2 Mounths for knowlegy and for driver test. Paid 2 times for it, and now you try to make this for free?? Shame you Plymouth License Taxi!!!! Shame for your scam!

ID	Name	Responses
109	anonymous	By removing the green and white though this will not increase the amount of hackneys coming into the trade as euro 6 vehicles second hand are still extremely expensive, maybe consider excepting euro 5 vehicles with an age limit of 2014 upwards perhaps, as the council are still happy to let a 2007 vehicle stay in the city until 2030 ! So why not think about this I have mentioned this to Graham Hooper already, these euro 5 vehicles may fall within the budget of the average taxi driver and could increase numbers , especially as number have dropped significantly nearly 75 cabs exiting the city since the 2022 policy.
110	anonymous	Special clothing require extra spending and the trade doesn't offer the chance to show off, considering the customers that are at 3 a. m.
111	anonymous	No
112	anonymous	This means even less vehicles on the road if its not changed.
113	anonymous	Expensive service,
114	anonymous	People of Plymouth need taxis not rainbows,it doesn't matter what the colour is as long as it takes you home safely and convenient.Also it will only delay the process of applying for a plate and so the chance of rather sooner get the cab on the rank,limitations regarding finding/buying a cab in some specific colours as well.There will also be limitations when trying to find a replacement temporary cab following an accident if it will have to comply with a specific colour/livery there will be less to none insurance companies that will keep specific coloured cabs in stock just for Plymouth taxi licensing authority to provide IF needed and again cabs off the road for longer periods of time and so the thought of changing jobs due to that so just loosing more drivers on a long term.
115	anonymous	I would love to see all the taxis like this
116	anonymous	They look very smart
117	anonymous	Not everyone has money to purchase new vehicles or to make colour modifications.
118	anonymous	No
119	anonymous	It reduces options in vehicles
120	anonymous	I think that it's not going to make a difference this kind of change. It's only creating financial discomfort
121	anonymous	Door signs should be kept in place in order to determine a PH vehicle from a normal car.
122	anonymous	The white policy narrows the choice of cabs on the market. Very expensive at moment.

ID	Name	Responses
123	anonymous	In my opinion it may cause financial issues for drivers who bought new vehicles in recent 5 years and they are not comply with the livery (colour scheme). Colour scheme is not bad idea, as it will make Plymouth Taxis look more professional, and let customers and tourists distinguish a difference between Hackneys and Private Hires more easily. It supposed to be postponed for old vehicles to 2033 minimum(it is giving 15 years of usage if someone bought vehicle in recent 5 years). For new vehicles it supposed to be obligatory as it is.
124	anonymous	No comments
125	anonymous	I do not think that a colour code is required to identify a Taxi as it has an illuminated roof sign as in London. Whats good enough for the capital should be good enough for Plymouth. As for front door signage to identify the vehicle is a Taxi or private vehicle/ private hire vehicle for CCTV purposes, why not duplicate the rear plate and fix to each front door which would identify the license number.
126	anonymous	Nonsense question. If you would've respected the taxi opinion on previous consultation, this question wouldn't be here
127	anonymous	Livery should stay
128	anonymous	Will make the City look safer look better.
129	anonymous	I also disagree with having the door signage on. This makes it look like Plymouth City Council own the vehicle, which obviously they do not.
130	anonymous	Looks great for safety

Topographical/Knowledge of Plymouth Test - Part One

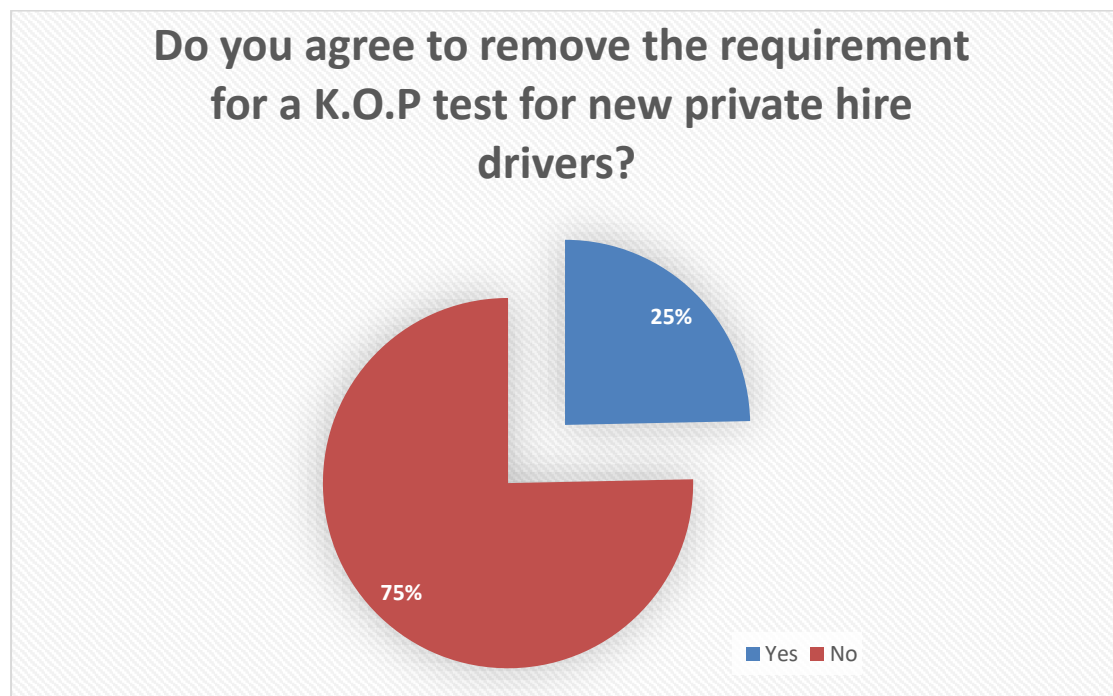
It is a requirement for all new applicants wishing to become a private hire or hackney carriage driver to pass a topographical/knowledge of Plymouth test (K.O.P)

It is proposed to remove this requirement for applicants who wish to obtain a private hire drivers' licence and retain this requirement for those who wish to apply to be a hackney carriage driver.

If this proposal is approved, it is further proposed that if a private hire driver has held a licence for 3 or more years, that they will not need to then undertake a K.O.P test to obtain a hackney carriage drivers' licence.

Do you agree to remove the requirement for a K.O.P test for new private hire drivers?

377 responses were received 284 (75%) of the respondents were against the proposal and 93 (25%) were in favour of the proposal.



211 comments were received

Plymouth Licensed Taxi Association Response

Executive Decision Document CSLCC04 23/24 is erroneous at "3.3 Private hire drivers cannot work without a GPS system or app..." This is not true. It is applicable to the majority of PHV Drivers who work through an office but there is no legal requirement for this to be the case. Indeed, the LA licences vehicles which only do tours, airport runs and school contracts. There is also the matter of sudden road closures for various reasons and drivers have to be instantly aware of alternative ways of reaching their destination.

ID	Name	Responses
1	anonymous	Local knowledge is a must, sat navs don't always take you the quickest or avoid bottlenecks.
2	anonymous	I think this is ridiculous... you HAVE to know knowledge of Plymouth. I spent months learning the Knowledge of Plymouth, for us taxi driver who have paid 100's on taxi schemes will we get refunded? I find this incredibly unfair.
3	anonymous	What happens when GPS goes down or various multi drops
4	anonymous	<p>The reasons I think the Taxi test should be scrapped is because we need to separate Taxis from Private hire. Hackneys are allowed to pickup off the street and TBH this is a bit unfair as ATM Hackneys and PH hold the same licences and qualifications and if one has the right then both should have the right as the licences are equal. If we has a system that separated Taxis from private hire, such as through a test, then this would then give Hackneys a more solid footing to have the right solely to pick up from the streets and it would keep the Hackney numbers down as people would not bother becoming a Hackney driver. We are all over busy ATM and for the last few years and customers just can't find a cab so as a city we do need more cars on the road.</p> <p>Sometimes when I am picking up or dropping off at the station I literally get pounced on by customers as people can't get a taxi locally or to go on to longer destinations. Private hire should be de regulated as we are private firms and one of the issues in the UK is that firms have too much red tape and if a driver is DBS checked and is in good health then why would he or she need a knowledge test as we have satnavs that are faster than thinking about things and safer TBH. TBH why do we need a driving test as well? Who's ever failed? The only real way to get into Private hire or taxi driving ATM, if you are on a budget, is by joining one of the big firms schools and this is strangling the smaller firms recruiting, as smaller firms can't afford the initial outlay. We have already seen the merger of a few big firms, and when the others join with them, they will dominate the city forcing drivers to pay a higher percentage, just as in other dominated cities and with foot fall dropping in our town hackneys will have no choice but to join and work for these one or two very large nationally controlled firms. I think the best way for customers and drivers is to deregulate to a point and give people who have the extra test an incentive, such as being a hackney driver. Yes, there will be an initial hit but as soon as consumers get confidence back in the trade this will iron out to be very profitable as using a well-priced cab will become the norm. The two big firms in Plymouth are strangling the city and people should try the smaller firms, many on Google business if you just type in Taxi I also think that charging firms or drivers to pickup from the station is a disgrace and this helps to render visitors transportless.</p>

ID	Name	Responses
5	anonymous	I am currently training on the kop, but do find it is not really relevant to todays electronic navigation systems. That said there is a fear that there would be an influx of PH drivers making it difficult make a living
6	anonymous	Lower the pass rate on a temporary basis, and monitor for future applicants.
7	anonymous	The knowledge test gives drivers the knowledge of most of the main artery roads within Plymouth and how to plan the shortest route for the customer, I believe this is a vital part of becoming a taxi driver
8	anonymous	Drivers with no knowledge of the city and who rely only on a sat nav, often take a longer route, thus costing passengers more.
9	anonymous	I think the knowledge test helps new drivers learn the area,
10	anonymous	Will flood the driver market with drivers that don't know the shortest routes and will create problems for all drivers
11	anonymous	The Knowledge test is not just learning the streets of plymouth and it is a good test to keep as it professionalises the driver
12	anonymous	I don't think removing the K.O.P would have any benefit to plymouth, you would end us with a lot of people over charging and following sat navs when a trained driver wouldn't need to rely on the map
13	anonymous	No
14	anonymous	There are many drivers that spend money,for knowledge test, months learning, maybe renting cars to drive to learn the streets. It's not fair new drivers just came straight into the business. Also because private hire drivers had K.O.P they should be able the chance badge for Hackney any time not after 3 years or more because was same exams for everyone -private/hackney. If new drivers don't have knowledge test how it will be driving test? They gonna use maps or sat nav? If buss driver ask for destination how driver can go there if he didn't learn nothing? How new drivers can take costumers to specific routes if they didn't learn nothing because in many situations sat nav takes you on different routes. Then are many foreign people that don't speak verry good English....if they are coming straight away into business and costumers ask for an address maybe they don't know how to type it on the sat nav....but if you learn and you had exam you have more chances to reach destination even if your English is not verry good.
15	anonymous	After being a large operator for many years in the city I think that the knowledge is learnt through experience and totally agree with the removal of KOP test

ID	Name	Responses
16	anonymous	K.o.p is very useful for starters knowing areas and places make the job easy and looks professional . Some costumers don't like to provide postcode or drive you to the destination and google maps not always give you the right routes .
17	anonymous	The removing of KOP is unfair for drivers that had to learn hard for test. Even with satnav drivers must know the area because satnav have major errors or didnt work or many time the venue or destination adress is not on satnav. As rare user of taxi I would like to be served by a taxi driver that knows the area where it serve.
18	anonymous	You need some sort of test even a shorter one.
19	anonymous	You should keep the kop as is essential for new drivers to know the streets and how to proper drive a car , when i pass the exam 6 years ago i had to study like 2 moths , now its even 50% less the amount the knowlege i had to learn.regards
20	anonymous	I know hundreds of People who started to learn in order to get a taxi linces. They just stop cuz they are lazy to learn and now all of them working for uber eats , just eat , etc. Even after the knowledge test has been reduce and been made easier ppl are still not keen to learn. Me personally I think is an offence against those who have been learning hard and made a lot of sacrifaces in order to pass the test. I completly not agree that the knowledge test to.be REMOVED. Think about us , who have learnt 100's of hours , think about our sacrifaces. If the test is removed the taxi trade will be destroyed for us and all the deliveroo and uner guys will join. I hope the council will take in consideration our vote and will care about our sacrifaces.
21	anonymous	If you remove the knowledge test current drivers will massively have there workload reduced and with most PH drivers out goings running around £500 a week mark it could force many to find differnt jobs. That would then lose alot of experienced drivers. Then being replaced with people with no knowledge possibly jumping on the job for 6 months to make a quick buck I have spoke to alot of drivers who have said they would be gone from the trade if the knowledge is scrapped because the new drivers simply wouldnt know or care about keeping the high standard. You have to be relatively intelligent to pass the knowledge by scrapping it anyone can walk in to the job. If anything should be scrapped is the £350 pound nvq the drivers have already been driving for a year before it has to be done so its simply a waste of time and money especially with you trying to help out with cost of living £350 alot of money.
22	anonymous	If you remove K.O.P there will be more taxi drivers then customer

ID	Name	Responses
23	anonymous	With a huge increase in non English drivers coming into the trade it's really more important now than it has ever been that there should be a testing procedure.
24	anonymous	Private hire drivers all use technology given to them, even the more experienced drivers use this tech, so we find it unnecessary.
25	anonymous	Currently has the luxury of allowing drivers to move between Hackney and private hire because they both sit the same test and have to score the same pass mark. Removing the test from the private hire application process creates a two tier system and one that I genuinely fear will be to the detriment of the private hire trade within Plymouth, I appreciate that there is a requirement for more drivers and that in this day and age satnav is a fundamental tool used by professional drivers but to remove The KOP Will mean the drivers can't move between the two badge groups as easily and what value public perception of private hire. By all means make the test more relevant to today's job and driving conditions, maybe less focus on the roots and more focus on venues, pubs, restaurants, places of interest. I firmly believe that the KoP is an important part of our application process
26	anonymous	Just because cars may have GPS doesn't mean you know where your going, there are shorter ways to go GPS doesn't always take you the shorter route, especially in traffic jams or if an accident has happened.
27	anonymous	1.It cost me 5 months and over 2000£ 12 years ago to obtain my driving licence.Give the money back to all private and hackney drivers who took that exam if you give up on your knowledge test 2. If you give up on this test,only one who profit about this is the taxi companies and you.On the other side all curent taxi drivers are gone lose a lot of income and many they gone give up,move to deliveries and other jobs,or they gone claim benefits. 3. There gone be a lot of complains from customers who are used to drivers who dont need direction indication
28	anonymous	No
29	anonymous	if K.o.p. is going to be removed the taxi trade is going to be flooded with low quality and untrained drivers that are not going to be able to offer the best service to the customers . To have more drivers on the road ,you just need to speed up the process of obtaining a taxi licence. At this moment ,the process lasts almost 4 months ago. Keep the Knowledge test for the better quality of the service .
30	anonymous	Removing the knowledge test would allow a lot of people joining the trade and therefore make it not profitable and would push people out of it rather than keeping them

ID	Name	Responses
31	anonymous	I completely disagree with scrapping the knowledge test provides a basic knowledge of the city I feel that is very important for are locals and visitors being a taxi driver my self for 10 plus years and living In the city since birth the knowledge test helped me understand the routes of the city and witch way to take to make the customers final total the cheapest price
32	anonymous	This is also a more pragmatic approach to dealing with the shortage of drivers. A large influx of new PHV drivers, will ensure that the taxi industry, plays its vital role in the local community transport system and to assist the night time economy, by having more vehicles available during busy times.
33	anonymous	It's good to be removed as there are not enough drivers in the city and when ever I ordered taxi I have to wait 2 r 3 hours they are busy We need more drivers in the route
34	anonymous	I don't agree that anybody could now become a taxi driver without doing the hard yards like the rest of Plymouth hard working and loyal drivers. I have been a Plymouth Private Hirer driver for over 10 years and this is my career, I take great pride that I have passed all the qualifications and I don't need to use a GPS system to navigate around Plymouth. If like the last time you brought this to the table you are to make Private Hire have fixed fares that's unfair on the customer, as fares will be increased yet again to compensate for traffic or any waiting time. This in my eyes is being driven by the operators who are looking after themselves, more driver numbers more money for them. You will open the flood gates and it will kill the industry you will just become a Uber Council.
35	anonymous	Remove the KOP will make the life easier for all of as 'dot need to wait a massive time to get taxi All drivers are voting No cuz they want to keep them self busy making £300/400 a day But for the people is better to be as much as possible of drivers on the route So that can make life more easy Safe the people from waiting on the router after finishing their party's for/ hours to get back home
36	anonymous	Satnav is not always accurate, furthermore, I have had numerous complaints over the years of drivers taking longest route following sat nav's.
37	anonymous	By removing the K.O.P test is removing the essential part of being the taxi driver. I'm thankful that I learnt mine and have found it to be invaluable as do the customers. Scrapping it would be a mistake.
38	anonymous	The quality of the taxi service will not be as high as it is at the moment.

ID	Name	Responses
39	anonymous	If you remove the KOP requirement then you must also remove the requirement that Private Hire drivers take the shortest route. If they don't have the route knowledge then they won't be able to overrule their satellite navigation system that DOES NOT always show the shortest route.
40	anonymous	The test (along with language test) ensures that drivers know where they are going and can communicate. It should be applied retrospectively to all hackney/ private hire drivers
41	anonymous	This could cause a dangerously high influx of clueless drivers who don't know the city. It is a privileged job and shouldn't be handed out to anyone.
42	anonymous	No
43	anonymous	No
44	anonymous	Think it should be some sort of knowledge test but a lot smaller than the one in place at the moment
45	anonymous	No I don't agree with removing it when I pay for a service I should expect a level of professionalism and doing the knowledge is part of that. You wouldn't employ a plumber or a builder who isn't fully trained same as a taxi driver
46	anonymous	Absolutely no way the knowledge should stay the whole system would become a joke with far too many people using taxiing like they do uber eats etc as a side hustle in the evenings and not doing many hours taking money from proper PH drivers who need to pay the bills they tried to remove it in Newcastle years ago and all the drivers stuck together and went on strike speaking to other drivers we would be here as well good luck if that happens
47	anonymous	It is not fair. We all had to sit the KOP, and 12 years ago when I did it, it was very very hard and about 114 routes, 53 end of the roads + venues + questions. Now there's only 59 routes, if they really want to enter the trade, they should sit and pass the exam.
48	anonymous	Even though we all have Google maps, it is still a massive advantage to know where you're going and to advertise the city, the more we know and where we are going is only going to improve the customer service we supply to all the holiday makers we have to this amazing city. Flooding the market with drivers not knowing what they are doing will not help. And you would start to lose the experience. Work will dry up. Start a price freeze as fares are getting too high.

ID	Name	Responses
49	anonymous	Don't agree with being able to change to Hackney carriage after three years with no kop test
50	anonymous	The knowledge test is the best way the public feel they can trust a driver to actually know what he or she is doing. No-one wants to get into any licenced vehicle and have to direct the driver or give them postcode .Sat nav is not a licenced driver .private hire cash cow.
51	anonymous	Removal of the K.O.P is one of the worse ideas this Council has had regarding licensing. Customers need to know they are in the safe hands of a driver who knows where they are going and not constantly looking at a sat nav screen. Sat Navs do not always give you the shorted route, they do not know local knowledge about short cuts avoiding heavy traffic. Removal of the KOP would flood the industry and many of the more experienced and professional drivers who treat this as a career will leave. This intern will leave the city with a substandard service. So 100% No from all of the drivers who I've spoken too
52	anonymous	All taxi drivers should know 85% of major roads and know the area of Plymouth
53	anonymous	Is not fare for old drivers !
54	anonymous	Too much reliance on sat nav by drivers that don't know the area and are unaware of non-main routes
55	anonymous	There needs to be some sort of knowledge test maybe not as rigid as the current one, but drivers need to be armed with a certain amount it's all very well having a sat nav to take you to your destination but you need to know where Crownhill, Estover or Derriford is not forgetting that the lack of knowledge test will probably encourage drivers from other areas without any knowledge at all
56	anonymous	Without the local knowledge they will be asking me directions or following a sat nav.
57	anonymous	We tried to keep decent standards all these years,I don't see why we would drop them now. The knowledge test is an absolute must.
58	anonymous	There should be even a small test of knowing local areas in Plymouth GPS and sat navs don't always work
59	anonymous	I think a proposal to scrap the knowledge test is a bad move, And an insult to so many people that took time to pass it, It will turn our jobs into a minimum wage job as the city will be flooded by drivers that will just rely on a satnav Great move for the various offices and business owners. But a pisstake to the already qualified drivers

ID	Name	Responses
60	anonymous	Customers would feel confident if the driver had the knowledge and knew where they were going
61	anonymous	Knowing the city allows them to guide customers to their desired destination in an efficient way, which leads to faster and more economical trips for customers. With solid knowledge of streets and routes, taxi drivers can avoid areas with heavy traffic and they can choose alternative routes, saving their customers time.
62	anonymous	In this case you will increase the number of drivers, which will lead at increasing earnings for taxi operators, lower income for drivers. Drivers will be working again with much less than the minimum hourly pay. (Modern slavery)
63	anonymous	Being a taxi driver is not just about driving. Being a taxi driver is about knowledge is about knowing the city. We are a city where visitors are coming what will happen if a customer is visiting the city and book a taxi ASD (As Directed) not having the knowledge of the city will have a negative impact for the city. Also what will be different between a Delivery Driver and a taxi driver? None Yes we are using GPS but you still need to have some sort of knowledge of the city so my answer is NO - I do not agree to take out K.O.P tests
64	anonymous	I have learned 3 months to pass the test ! It is not fair to remove the requirement for a K.O.P. test for new private hire drivers ! If you want indeed to be a taxi driver , you must learn and you must pass the K.O.P. test ! If not, this will be considered disrespectful in my opinion.
65	anonymous	The knowledge is the one thing that sets taxi drivers apart from regular drivers. Would you like your loved ones to be picked up by someone who has to stop and adjust their sat nav or phone (or may be while they are driving) should they decide to go somewhere. Perhaps if the private hire offices dropped their office rents that would be enough to encourage more people into the trade.
66	anonymous	I think every new driver should go through the knowledge test whether private or Hackney it makes them more comfortable on the steering wheel safer on the road when you know where you going instead of checking the phone while driving in a busy traffic makes them look more professional in the eyes of the customers and its safer of the roads.
67	anonymous	K.O.P must remain , there are over 900 drivers in the trade at the moment that passed K.O.P to become taxi driver , New applicants must know at least, the basic knowledge of plymouth , I joined the trade last February , i can reassure that knowing areas of plymouth its heart of this job , u can not rely on GPS , Even basic knowledge is not enough to become taxi driver leave alone the driving with GPS , Being taxi driver is

ID	Name	Responses
		<p>profession , New applicants must put they time and learn the job they wish to do . I can give example from my self that who joined the trade in February , Even tho I passed the K.O.P in first time , I still sit at home and study the areas that was not in the test for become better driver and give the best service to public , its very dangerous to drive a car when you have to keep checking which way you have to go , and also GPS and Satnavs will take you quicker route not shorter ,It will cost more and which will cause a lot problems with public . Once again K.O.P MUST REMAIN FOR RESPECT OF TRADE AND FOR SAFETY OF PUBLIC .</p>
68	anonymous	No
69	anonymous	<p>I've put no but I can see the benefit here. I view knowledge tests in two ways. First,y. There is no question it is safer to know where you are going rather than following a sat-nav. Last minute lane changes, missing hidden turnings, are all risks of following sat-nav. Secondly, a routes test is a great test of character. More than anything, a persons character defines whether or not they will be an honest, reliable 'fit and proper' person. Providing the authority is satisfied that the remaining application procedures fulfil the requirement to show a person is fit and proper then I suppose removing the knowledge test is acceptable.</p>
70	anonymous	<p>I believe if anyone wish become a Taxi driver in Plymouth they should still should have to take the knowledge test even though they have been a private hire driver for 3 years or more.</p>
71	anonymous	<p>I believe that local knowledge including shortist routes should always be part of any taxi /private hire drivers skill.</p>
72	anonymous	<p>Even with the knowledge some Driver's still have no idea where street's and venues are, without the knowledge it would be a nightmare.</p>
73	anonymous	<p>Could this proposition lead to being able to also signup for companies such as Uber Taxi? Perhaps it could become more popular in Plymouth and it might be cheaper or faster than a normal taxi giving people who want to get into the trade more opportunities of earnings. I'm looking forward to this hopefully coming into effect.</p>
74	anonymous	<p>All but 3 cities have this test why are we still doing it, as a private hire driver your sent the job on your phone and then the sat nav gives you the route</p>
75	anonymous	<p>It makes no difference if you are private hire driver or hackney driver , Both private hire and hackney need to know the k.O.P you may say that private hire use a satnav to get around but the satnav doesn't always go the best route. Also do you not think that hackney DON'T use a satnav . if you put people in private hire without K.O.P it is not fair on the</p>

ID	Name	Responses
		plymouth people They should get the best possible transport experience. The knowledge means the driver knows the best, easiest, quickest and most cost effective route and knows where to divert if there is a problem with traffic/accident or road works. I understand that by stopping this you would increase new drivers coming forward but in my opinion they would not have the knowledge required.
76	anonymous	Just make the KOP easier, but leave it as a requirement.
77	anonymous	Keep the KOP as it is. Relying on Sat Nav equipment doesn't help anyone if the customer doesn't know the address or the post code ie The Futures Inn. If the driver doesn't know where the destination is and the customer doesn't either how is he going to transport him. At least if he has done a KOP he's in with a chance of knowing where he is going.
78	anonymous	Knowledge test is important, because drivers should know where are the venues, big roads and other visitors points are, and it is helpful for the drivers and passengers confidence; the customer will feel comfortable and relaxed when his driver knows where his customers want to go.
79	anonymous	No point in 2023 satnavs are faster
80	anonymous	If you allow General Public the opportunity to hold a licence without any prior knowledge of the roads system in our city, you will be causing the earnings of the regularly tested drivers to be severely affected. The Knowledge test is there for a reason. Completing the Knowledge Test and holding a badge gives the driver MORE pride to wear it than the proposed new Green and White livery on the cab would.
81	anonymous	First all nine years ago I had exams for knowledge, is not fair for the old drivers
82	anonymous	No
83	anonymous	We have all got to have a knowledge of the city of one form or another
84	anonymous	I do feel that removing the K.O.P test would be a good move to boost numbers, however, I would like to see a limit on the amount of private hire licences issued to protect those who already have them. No point doing the job if thousands of extra badges are issued
85	anonymous	You need to know all the main roads around Plymouth area. Certain times of the day you change routes.dew to accidents, roadworks, water burst anything like that you need a basic knowledge and even the up-to-date. Google Maps don't show this

ID	Name	Responses
86	anonymous	Hi I believe and many people I have spoke to believe the knowledge test should stay because it sets a level of professionalism to the trade and when I get in to a pH taxi I want to feel rest assured that the driver is fully trained and half a brain cell and some local knowledge if the kop test is removed there will be a huge influx of uber and deliveroo drivers jumping on the job who have no idea where anywhere is apart from home addresses they look at Google maps with they would have no knowledge of venues or point of interest or no nothing about the are city plenty of other citys country wide have kept the kop test so why are we plymouth renowned for having a tough test to get ya taxi badge so why make it easy and let standard's slip were suppose to be improving our city for visitors not making a bad first impression thanks
87	anonymous	There should always be discipline to certain routes, not all GPS routes take you the shortest route, if removing the knowledge test you should make it a requirement thar all private hire have a GPS dispatch system.
88	anonymous	No completely against removing the kop test have you seen bracknell council have just decided to keep the knowledge after consultation it will turn the job in to a minimum wage job and I for one and many of My fellow drivers will be off to find better paid work possibly the hgv route so don't flood our jobs with inexperienced no knowledge drivers thank you
89	anonymous	It is important to maintain key knowledge about routes and your city. The market would become saturated if this were to be removed.....However the knowledge test information should be accessible for all, there should not be a need to attend a 'school' to obtain this information. I would have liked to have gained this knowledge in my own time at work or in the evenings instead of having to take days off of work too be given this
90	anonymous	If you applied to Citybus you would have to take a route test to become a bus driver. Plymouth is constantly changing so it vital that the K.O.P test is kept in place.
91	anonymous	remove the test
92	anonymous	n
93	anonymous	n
94	anonymous	n
95	anonymous	n
96	anonymous	n

ID	Name	Responses
97	anonymous	Has been a requirement not only to have a knowledge but it by its nature encourages drivers to gain other knowledge that would benefit both local people and visitors to our fair city
98	anonymous	It is vital that all cab drivers have a knowledge of addresses and the geography of Plymouth. All applicants must do the work necessary to achieve this and pass the KOP test. It is most irritating to be a passenger when taken by a roundabout route to one's destination as it takes longer and is more costly.
99	anonymous	It is vital that taxi drivers know where they are going.
100	anonymous	Hi doesn't matter every one needs to have test to knowledge about the city and about the job anyway too many taxi in plymouth who ever want to be taxi driver they need to know plymouth. Its not good just open the door for ever kind people
101	anonymous	How will they know where they're going? SatNav alone doesn't help too much. I've taken the KOP and it took me months to learn, and it was still hard to do the work, but the knowledge I gained from it was crucial. Also, I will be invoicing PCC for the money I paid to take the test twice, and the time lost to learn for the KOP. It is very unfair for us that new drivers are allowed to get a licence without passing the KOP.
102	anonymous	You say that because PH offices use app based dispatch systems there is no need to take the KOP test yet it's the increase in technology that means it's needed just as much. PH operators are relying heavily on app based booking systems where the customer books their ride but there are multiple occasions where the pick up is wrong or the destination is wrong so the installed gps sat nav will not work correctly. Also the PH operators are relying on out sourcing calls to foreign countries and these bookings are mostly incorrect and using automated systems that crash most recently at Tower where no destinations were on the bookings.
103	anonymous	All drivers should be able to navigate the City they are without electronic help. Should tecknowledgedge fail they should have a working street knowledge in their heads.
104	anonymous	The quality in taxi will be very low, with out knowledge
105	anonymous	You must have some form of Knowledge test to be a driver, doesn't matter if your Hackney or Private. You can't just rely on a sat nav. People ask for different locations all the time, and having knowledge is key to providing a great public service.
106	anonymous	1. When i passed my test a council inspector told me he want safe rides for his wife and childs. He changed his mind? 2. Why council does not

ID	Name	Responses
		<p>run more buses in the city? Not enough customers, right? Why we need to double number of PH drivers if not enough customers then? It is only busy in rush hour and 3-4 hours weekend evenings. Rest of the time i do 1-2 jobs per hour. All drivers work extra hours to can afford all weekly payments, car mentenance, office rent, petrol, insurance, etc. The only problem is over night because drivers don't do nights anymore. Why!?!? Because of too many runners, drivers were attacked with knives, had the cars destroyed by drunk customers and we have NO PROTECTION. Police and council do nothing to help as, this is the real problem. If K.O.P. will be removed lots of people who are not able to pass the test today will be taxi drivers tomorrow and we will have an unsafe city and we will struggle to pay our bills.</p>
107	anonymous	<p>They could get a job from the office, which says as directed or the customer could change your mind or they might have a couple destinations drivers should take the knowledge if they really want to be a competent, taxi driver</p>
108	anonymous	<p>1. It's not fair towards us, whom learned a lot, we spend couple of months to be able to pass with 90% of knowledge. 2. This proposal will destroy the business. During the weeks it's not busy and sometimes we need to wait really long (30 minutes or even more, depending where you end up with your last booking) to get a job. If you remove the knowledge test everyone doing food delivery, or recently arrived to Plymouth will come to taxi trade and then the waiting time can goes up to hours. If you really want to help with the cost living you should help and support us to not loose our earnings. 3. Will destroy the safety part of the business. With knowledge you selected the most clever people. And to be honest to pass the test (especially when I went to do the test in 2019) you most have had a high intelegent level. Removing the test will allow on the road, and on public transport people whom may not got a high intelegent level. As a consequence the taxi journey won't be as safe for costumers how it used to be.</p>
109	anonymous	<p>This would flood the industry with drivers that have no knowledge of Plymouth what so ever. The 'shortage' of taxis I Plymouth has more or less sorted itself out now.</p>
110	anonymous	<p>I don't agree with removing the test as a member of the public. I want my driver to have knowledge of the city and know where they are going without having to rely on looking at a screen for most journeys which I feel is not safe. Removing the test will reduce the quality of the service</p>
111	anonymous	<p>We worked ver hard to complete this test so new driver should do the same otherwise it will not be fare.</p>

ID	Name	Responses
112	anonymous	KOP is basic for taxi drivers, just basic, it will be difficult to drive in Plymouth without this basic knowledge.
113	anonymous	Should definitely stay when I book a private hire to go out I like to know the driver has full training and level of intelligence dont even care if they use the sat nav whole point of having exams is to show your a competent person a plumber wouldn't know everthing after passing there tests but they still have to do them so should be same for private hire drivers.
114	anonymous	Simply wouldn't use them again would get a black cab number and ask for them to pick me up completely unprofessional scrapping the knowledge there has to be standards in every job and scrapping the kop would massively lower standards
115	anonymous	Would massively effect the work load if scrapped ill be off to get my hgv license and like at least 50 other drivers I have spoke to would leave immediately
116	anonymous	There is no need for a Knowledge of Plymouth test .With the advancement in Sat Nav technology there is no need to know every street or tourist attraction etc in Plymouth.Sat Nav will take you to the exact destination required. This new proposal is common sense and should be implemented in my opinion.
117	anonymous	The knowledge of Plymouth test is essential in order to know the city. As a fairly new driver, I've had my taxi badge for nearly 2 years, I don't think that the sat nav is good enough, it will not take you through the shortest routes and if you do select the shortest route it will take you through alley ways. It is essential to know the city in order to provide the best possible experience for customers, otherwise the customers will thank thay we are unprofessional. Removing the KOP test will also allow anyone to apply for a badge, there will be way too many drivers and not enough jobs for the current drivers. If the Hackney carriage drivers should still be required to undertake the KOP test, private hire driver should do so as well.
118	anonymous	Working in Public Transport it is a must to have knowledge how to do the job in a professional way and knowledge about the city, Highway Code etc. Therefore KOP must remain in place.
119	anonymous	I believe this is the best way to go considering the difference between hackney and private hire drivers in terms of how fares are calculated and how drivers follow routes. I strongly support that the KOP test requirement be removed for private hire drivers.
120	anonymous	It is part of being a taxi driver, having appropriate knowledge, of whatever area you work in.

ID	Name	Responses
121	anonymous	Given the large barrier of entry that the KOP test creates to new drivers who want to join the trade, and the clear lack of Private Hire taxis that are in Plymouth, Removing the KOP test in its entirety seems to be a sensible course of action
122	anonymous	The K.O.P test is a important part of learning the job in my opinion. however there should not be the need for private hire drivers to complete the K.O.P again if they have 3 or more year's experience of the taxi business.
123	anonymous	way over dew
124	anonymous	What a stupid idea.... This will allow any Tom dick or Harry to be a driver there's enough idiots who blamed the course and don't know where there going working already. This will just make for trouble ahead.... Really stood idea so NO NO NO NO
125	anonymous	I know modern systems have a built in navigation systems but I still think a reasonably sound knowledge of Plymouth should be a requirement of obtaining a license.
126	anonymous	Should be taken in the first year before renewal of badge
127	anonymous	Should do some kind of knowledge test in the first year of badge
128	anonymous	Taxi drivers are the first point of contact for many people visiting the city (over 5 million annually). It is crucial that they have local knowledge which they can share with incoming visitors, students coming to the city for the first time or business investors as 'ambassadors' for the city. Many cities invest significantly in training for drivers to enhance and improve this so that they are seen as welcoming and friendly. If anything the standards should be raised here not reduced.
129	anonymous	There must be rout discipline drivers should know where they are going, not all GPS systems take you the shortest route
130	anonymous	Because people with anxiety or learning disabilities could be charged higher fares as the shortest route isn't always the cheapest route to which would be set on sat navs as there may be more traffic lights etc. Drivers will end up taking advantage of the vulnerable. Not all passengers will know the best route for them especially if not from Plymouth.
131	anonymous	I think everyone should have K.O.P test
132	anonymous	Not a good idea will lower standards and a over supply of ph drivers

ID	Name	Responses
133	anonymous	No the job market could get flooded be no earnings to be made then people will leave the trade on average a private hire drivers out goings are 550 a week so there has to be plenty of work available to the current drivers
134	anonymous	Absolutely no way it needs to stay all of us drivers are proud of our trade and the effort we took to obtain a licence from the council it completely devalues it if a knowledge test is not taken and it will also leave a bad impression on visitors if the driver doesn't even have any vague idea where there going and yes gps plays a part but as many ph drivers i spoke to have many bookings a day saying as directed by customer before they get there so they need to have a Knowledge of plymouth the same as us hackney drivers many other parts of the country have thought about it and back tracked so I think you should to I think you could be opening a can of worms with current drivers if scrapped.
135	anonymous	No would flood market I'd leave the taxi trade as a driver in the city as no money to be made and pay our bills and I switch to airport runs only as many drivers have said they would do so ur have even bigger problem if its scrapped
136	anonymous	No I am operater in plymouth and I wouldn't even want to take a driver on with out knowledge test will make my firm look bad only people wanting it scrapped our 1 or 2 operaters looking to money grab radio rent keep our job professional for a fit and proper person like you always go on about thank you.
137	anonymous	You need to have knowledge of plymouth to retain the safety of yourself as a driver and the passengers.
138	anonymous	I've been in a few taxis where the driver has asked where a certain place is, as long as you get home safe I think the knowledge isn't necessary
139	anonymous	I think everyone should have the KOP
140	anonymous	Every taxi driver should have a bassic general knowledge of the city weather private hire or Hackney carriage you cannot rely on sat nave alone people change their mind where they are going all the time and if you got to pull in all the time to reset your destination if you got 4 people 4 destinations all at the cost to the customer 4 drunks at night possibly 4 different destinations could cause a lot of problems for the driver not everyone is helpfull a basic knowledge is essential
141	anonymous	Must everyone have the K . O . P

ID	Name	Responses
142	anonymous	All the private hire doing their jobs by companies apps . So I think everyone should aloud to do the private hire with out knowledge test .
143	anonymous	I think everyone should have the KOP
144	anonymous	<p>I'm a 30yrs old with 12years of driving experience driving day-by-day, ex class I lorry driver with vast experience and I belief that any taxi driver MUST have the Knowledge of Plymouth. I found K.O.P very useful, and I didn't pass it in the first instance. I found afterwards that not only an exam but is a lesson as well, is kind of a very useful course that any Taxi driver must do regardless any circumstances and I'm going to explain why in the following lines:</p> <ol style="list-style-type: none"> 1. Efficiency and Speed: Knowing the layout of the city allows taxi drivers to choose the fastest and most efficient routes (saving time for both the driver and the passenger, smaller fare, less pollution) to get passengers to their destinations. 2. Customer Service: We live in the wonderful Plymouth, a knowledgeable taxi driver can provide better customer service by offering useful information about the city, such as popular landmarks, restaurants, and points of interest. This can enhance the overall experience for passengers, especially tourists or those unfamiliar with the area. 3. Navigation Skills: Navigating through the city requires a good understanding of the road network, traffic patterns, and one-way streets. A skilled taxi driver can navigate through the city more effectively, reducing the likelihood of getting lost and frustrating the passenger (which can be very easily annoyed about it). 4. Emergency Situations: In case of emergencies, such as accidents or sudden road closures, a knowledgeable taxi driver can quickly adapt and find alternative routes to ensure the safety and timely arrival of passengers and the sat-nav is not updating in 9 of 10 chases. 5. Building Trust: Passengers often feel more comfortable and trusting of a taxi driver who exhibits familiarity with the city. This knowledge can help build trust and confidence in the driver's ability to provide a safe and efficient service. 6. Economic Considerations: Being familiar with the city enables taxi drivers to identify high-demand areas and times, potentially increasing their earning opportunities. This knowledge can also help them avoid areas with heavy traffic or low demand. <p>In summary, a taxi driver's knowledge of the city is crucial for providing efficient, safe, and customer-oriented service. It contributes to the overall satisfaction of passengers and helps drivers navigate the challenges of urban transportation effectively.</p>
145	anonymous	In today's tech world it is not relevant as the kop does not cover every st or every scenarios however the number of badges issued would need to be restricted
146	anonymous	No there is not enough work during the day as it is it would create far to many drivers and everyone would end up leaving the trade In the end

ID	Name	Responses
		we have high outgoings so if income drops it makes it impossible to do the job and it would make it impossible for everyone in the job if the work was to spread out
147	anonymous	KOP test is essential
148	anonymous	I agree with scraping the kop test , will the taxi law test still take place ? I feel it should
149	anonymous	Satanv is the best way to get to wherever you want
150	anonymous	Very poor decision, standards are already at an all time low and voluntarily lowering them even further is just ridiculous. Satellite navigation is not a suitable replacement for local knowledge, I've actually seen people sent the wrong way down one way streets for example by sat nav, and from my own experience they do not always send you on the most suitable route. Also why after 3 years should someone then have the right to become a hackney carriage driver while those of us who have been doing the job for decades have had to do things right?
151	anonymous	I think everyone have k.o.p test
152	anonymous	AS AN EXPERIENCE TAXI DRIVER THIS SHOULD BE KEPT AS IT IS THE BASIC KNOWLEDGE BEFORE U COME OUT ON THE ROAD THERE ARE LOTS OF VULNERABLE PEOPLE OUT HERE AND IF U DONT KNOW THE BASIC THERE BE WORRIED THE TEST GIVES U AN IDEAR OF WHAT EXPECTED OF A TAXI DRIVER
153	anonymous	All drivers weather Hackney carriage or phv need a basic knowledge of there city
154	anonymous	No
155	anonymous	We just want to get a taxi home
156	anonymous	The KOP is a must at some level for PH. It does not to be at the high level obviously required by Hackney Drivers. Pass marks on the same exam should be 90% for Hackney and 70% for PH Drivers.
157	anonymous	Any new driver should take a test, I believe driving 10 years+ is good enough as most drivers I've seen use Sat nav's nowadays
158	anonymous	To be a taxi driver you need to complete a knowledge test and NOT rely on sat nav
159	anonymous	I was made aware of these questions by a taxi driver who took me home to Tamerton and he was saying that drivers should have to sit a test, however he had no idea where he was going and had to use a

ID	Name	Responses
		satnav himself even though he has taken a test so there is no point of a test.
160	anonymous	<p>Knowledge test is very important for new applicants because we are not working On GPS system constantly taxi driver needs GPS in his head not on the screen Many Times system shows the longest fare not the shortest one besides customers make different stops on the way,change the destination or have their own preferences about the route on the way so it is not as easy as you think to do this job and provide a good customers service without basic knowledge of the city It is hard to understand your proposal. This app system is working since years so why you haven't change the regulations 5 or6 years ago Now the taxi market is back to normal so I don't understand the changes you try to provide You were wrong with colour of the cars idea and you are wrong again Don't Look at our job from the position of the office We are on the first line behind the wheel not you You have to decide if you follow the needs of customers and the citizens ordo follow the money of corporations and big businesses Best regards Robert</p>
161	anonymous	<p>Where do I start. As everyone in the trade knows, the knowledge test is difficult. It takes hours and hours of study and is extremely testing. The beauty of having the knowledge is that you know the CORRECT route to take and NOT WHAT A SAT NAV would tell you. Very often a sat nav will take you a long way,up a country lane,dead end etc. As a newish driver with 3/4 years experience I find having the knowledge in my head helps me every single day. Drivers becoming taxi drivers WITHOUT doing the knowledge test is,in my opinion, an absolute joke. Getting behind the wheel of a car as a new taxi driver is intimidating and nerve wrecking and customers deserve a competent PROFESSIONAL driver,NOT someone off the street following a sat nav,with NO KNOWLEDGE of plymouth. Ultimately, I cannot see what difference the PROFESSIONAL drivers right now,the drivers who have sat through hours and hours of knowledge tests,what difference their opinions will make. Again we will be punished by having UNPROFESSIONAL people of the streets with NO KNOWLEDGE, taking our hard earned money from us and not caring about their profession, something I DO!!!! To say ,again, as with the livery policy, I find the possibilities absolutely outrageous and disrespectful to present, honest,hard working drivers.</p>
162	anonymous	Most drivers use satellite navigation now.
163	anonymous	You need to have knowledge of the city
164	anonymous	We all have sat nav which makes it easier to find address
165	anonymous	If this test is removed, it will destroy the PH job, because there will be a large influx of people, and this will mean an increase in the price of car

ID	Name	Responses
		rentals (few cars, many who will), taxi companies will profit more from drivers because they will have a large influx of requests, the arrival of a large number of new drivers who do not know the city will lead to a decrease in the quality of services, the number of jobs will not keep pace with the increase of new PHs and this will lead to very low incomes for those who will have repercussions on the quality of the cars (cleaning, repairs made at dubious services or postponing a repair, etc.). The decrease in service quality will lead to more complaints to the taxi companies and to Plymouth taxi licensing and our PH image in Plymouth. Please do not destroy this job by deciding to remove the exam, you will affect many PH and their families, and in the last months due to the economic instability our incomes have decreased a lot :(As we can see even today inflation does not help at all, why do you think that a PH inflation without a bit of knowledge will help you?
166	anonymous	You will not get any new drivers in the Hackney trade for at least 3 years as vehicles are far more expensive and by that time they will be rooted in the private hire trade. hackneys will dwindle and the big companies takeover as is happening now and then you have no control over anything. no hackneys no disabled vehicles. PS you already restrict the use of a disability users use of hackney carriages pushing them into using vehicles you cant control and from other councils.
167	anonymous	Sat navs are not reliable and don't not always take you the shortest route.
ID	Name	Responses
168	anonymous	Yes. My comment is(law is for everybody) law!!!!
169	anonymous	A taxi driver needs basic city knowledge to start with , if we drop the test this would see the likes of just eat / uber eats drivers/riders become taxi drivers, have you been behind a just eat delivery driver before? They spend more time looking at the map on their phone rather than the road ! This will end up in a serious accident and someone getting hurt, If someone cannot spend 4 weeks of their life to learn some city knowledge to give themselves a fairly decent career and relatively good income they are obviously not that committed to the trade.
170	anonymous	It's not fair to me or others that spent time and money for this exam.... So no don't make this city exam free...
171	anonymous	No
172	anonymous	There has to be some kind of a exam to make a difference Will be too many drivers The number of issued licenses should be limited

ID	Name	Responses
173	anonymous	As per Government instruction ATM the public can't get a taxi when needed as no one wants to become a driver due to the test. 3. The role of licensing authorities As stated in the Statutory Taxi and Private Hire Vehicle Standards issued by the department to licensing authorities, the primary and overriding objective of licensing must be to protect the public. Licensing authorities should also be aware that, as well as ensuring taxi and private hire vehicle services are safe, the public have a reasonable expectation that the services available will be accessible and affordable
174	anonymous	Taxi drivers should have Plymouth knowledges and prove they do.
175	anonymous	Please do not remove the K.O.P Make it easier
176	anonymous	The knowledge test should remain for new drivers as a sat nav will only get you so far.and customers always change the destination route which means you have to change destination on sat nav which is unprofessional with the customer in the vehicle.You are basically saying that being a taxi driver is an unskilled job so no training is necessary. This is not a good idea.
177	anonymous	Some form of very basic knowledge of the city should be used as well as some basic skills of using a sat nav,a combination of the two would probably demonstrate a good enough ability to work as a private hire driver.
178	anonymous	I free safe if the driver had some knowledge
179	anonymous	Removing knowledge test you gonna damage the trade
180	anonymous	Removing the knowledge test will bring too many unexperienced drivers and a lot of issues as nobody will like a driver that doesn't know were to go,and even worse the actual drivers income will get low so,many will stop working.
181	anonymous	All new drivers private hire/Hackney carriage should pass the k.o.p test.
182	anonymous	No
183	anonymous	As a P/H driver myself, I've asked my passengers how they would feel if their driver had little or no knowledge of Plymouth and would have to use google or satnav. Every customer so far has said they would prefer the driver to go through the knowledge test as there are many different ways to get to the same destination. The satnav doesn't always direct you to the shortest route. And can cause stress & anxiety to costumer & drivers.

ID	Name	Responses
184	anonymous	Keep the knowledge test it helps a lot
185	anonymous	I think you should be required to take the test. If a system went down knowledge of the city is paramount! Also you could end up flooding the industry and then drivers couldn't make a living from this.
186	anonymous	By taking out the K.O.P. you are decreasing the quality of the services offered by private hire drivers/hackney carriage drivers. You have high expectations from this people regarding the services that they are providing and also the skills with the people including taking care of them, saving them from dangerous situations that they are passing etc. I think that you should be even more severe regarding the process of obtaining the right to be a private hire driver or a hackney carriage driver.
187	anonymous	I have a private hire license. I sat the KOP in 2021 when it was alot harder then it is now. I can understand that yes, private hire drivers do use GPS. But many of times my GPS has failed/crashed and I've had to rely on the basic knowledge I retained from that test. Not to mention that by removing the need for private hire drivers to take the KOP test, there will be a huge influx of new drivers which will put alot of current drivers out of work. I see no reason why the KOP test should be removed for either licenses. If somebody wants to be a taxi driver then they will complete the requirements. The city may be short on drivers as a number point of view but there are many days where myself and other drivers have barely earned anything. Perhaps shorten the KOP test rather than remove it.
188	anonymous	It is important to keep the K.O.P in order to get competent people in to Taxi industry.
189	anonymous	Barely enough work during the day as it is the shorted is only Friday and Saturday nights on pay day weekend would be ridiculous to swamp it with more drivers in the end people will leave and ur be back to square one
190	anonymous	No I don't the knowledge came in very handy when I first passed many roads and locations I never knew before that came up from customer and I knew them from the knowledge also alot of bookings come as directed by customer when u get there to pick them up so wheres the difference between Hackney and pH when that happens nothing u need the knowledge or else it will be so unprofessional and I for one would take a stand as so many of my co drivers would as well we don't wont a repeat of Newcastle 2015 google it if you don't no what I'm talking about thank you

ID	Name	Responses
191	anonymous	No thanks im fed up with drivers saying where that or I'll have to Google map that just to go somewhere they should no ie cremyll ferry or boots by the mall its ridiculous make it harder I say like the old school cabbies
192	anonymous	No will be a shit storm in plymouth if it happens be aware and think hard over 600 drivers on strike and counting on our private chat pages good luck think hard if u scrap it
193	anonymous	As a taxi driver of twenty years plus the knowledge test helps alot with learning to become a taxi driver whether it be Private Hire or Hackney Driver so the new future drivers can learn the basics aswell.Also believe a new course should be done for new drivers wishing to enter which should last 30 days to complete the course ie the knowledge KOP the drivers rest the safeguarding and the ambassadors course And the nvq course This could be set up through Plymouth City Council and companies that have schools.
194	anonymous	In my opinion it will bring a lot of issues in upcoming years for customers and Plymouth City Council. Number of Private Hire Drivers will go up of course. Quality of drivers and customer service will drastically go down. Number of complaints, unsafe situations on the road and bad behaviours of drivers would go up. I moved to Plymouth 2 years ago and needed only 3 full days to learn to K.O.P test. Passed first time. It was reduced to only 59 routes not long ago. If someone is not capable(or too lazy) to learn it and pass it, he will be dangerous on the route and there is a big chance that he will be bad PH driver anyway. After more than 3 months of doing this job I can already say this job is not so easy as it looks like. It requires to think about safety taxing people from A to B, with the shortest route and meanwhile predicting all unexpected behaviours from customers in your car as well as unexpected behaviours of road users in the same time, plus observing all notifications on our PDAs whilst driving. Sometimes Customers asking unexpectedly to Stop somewhere or to go Via some place, and without knowledge which was needed to pass that test I would be losted. Knowledge achieved to prepare myself to the test helped me to become a professional PH driver and still is helping me everyday. SatNavs was very helpful of course on the beggining and is today, but if you don't know the topography of the City you will make a lot of mistakes, longer routes, wait for customers in incorrect locations and misunderstood where to drop them off in correct place. In my opinion if someone can't or don't want to learn 59 routes, he probably is not capable or simply too lazy to become a good quality PH driver and with safely and correct manner taxing people in our council, help them with luggage, shops, entering safely to vehicle and going out safely from vehicle, understand their needs. I would like to highlight that It will bring bad influence for current PH drivers, as number of jobs available for one

ID	Name	Responses
		<p>driver per hour will be reduced, so wages in this industry would go down, and many good quality drivers will move out from business as they are capable to do other jobs for better salary(it will be myself for example, as I would go back to be HGV driver, I would try to get job in HOYER and deliver fuel as I have all required qualifications to do it). Government did similar think few years ago in HGV industry. They made it easier to make Class 1 driving license for new candidates. Now after few years they have many fresh drivers who can't drive and maneuver articulated lorries on the public roads, they struggle to maneuver or reverse in pick up/dropping off points. Causing a lot issues for Transport companies and many Insurance Companies require now few years experience. Industry is full of inappropriate HGV drivers who doesn't have imagination how to drive such a big vehicle safely. They for example hit bridges or going to narrow roads and blocking them and can't go out. In my predictions if you scrap the tests in few years time you will stay with majority of bad quality drivers which will bring a lot of troubles to the City, unsafe situations to the customers and many issues and complaints to Council as well. In this process good quality drivers as you have now(which wasn't lazy to learn and were smart enough to pass this not complicated test) would be replaced with bad quality drivers. There will be big rotation of drivers anyway, as they would not obey road rules(similar as many current food delivery drivers doesn't obey rules on the road) and taxi licensing rules and they would loose driving licences or PHD licences anyway. You would stay at the end with outnumbered bad quality drivers. If you wish to know whats gonna happen if Council will scrap K.O.P test, call please for example to Birmingham or Wolverhampton Council and find out how many problems they have with PH drivers who still want to do it for very low wage.</p>
195	anonymous	Should be the same for Hackney and private hire. Removal of Kopp makes it to easy to enter the trade ,especially for unsuitable applicants.
196	anonymous	<p>Absolutely ridiculous idea, sat nav almost never takes the shortest routes. Keep looking at a sat nav would be a massive safety issue as the driver would not have full concentration of the road and traffic ahead. Sat nav often goes down and the driver shouldn't need to ask the customer directions.. will be like having UBER in plymouth, the city flooded with drivers that haven't got a clue. If this does get enforced I hope the council will be refunding every driver that had to pay out of their own pockets to take the KOP.</p>
197	anonymous	Better service when you know what to do
198	anonymous	I had to pay and take the k.o.p test because it was a requirement at that time, I believe this still needs to be the case as a general knowledge of Plymouth should be understood by all drivers. All drivers should have a

ID	Name	Responses
		good understanding on what routes to take and where venues are when picking and dropping off passengers. Taking away the k.o.p test means this trade becomes a sat-nav industry where anyone can just jump in a car without knowing basic knowledge of the city!
199	anonymous	I think everyone should have the KOP
200	anonymous	I base my answer on nearly 40 years experience in the Taxi private hire trade in Plymouth, both as a driver and in management as a director of Plymouth Taxis LTD. The idea of encouraging more people to become private hire drivers by doing away with the K.O.P is short sighted for several reasons, which in my opinion are :- Dispatch systems are only as good as the information that is entered by the tele op and the information given to the tele op by the customer, Destinations are subject to change mid journey when the driver should have adequate knowledge of Plymouth to be able to complete the journey. The satnav of a dispatch system is not always as good as one would expect ie. Is it the most up to date version, has its parameters been set properly by the administrator (shortest route, Quickest route etc), there numerous other things that can affect communication
201	anonymous	No we need a good level of professional drivers removing the kop test would open the flood gates for anyone to do it I know many a driver who I speak to and they said it would kill the job for them as well so please keep plymouths high standard of taxi service at the best around.
202	anonymous	No should stay it will the trade if removed many other council have thought about and decided to keep it so should you
203	anonymous	Yes will kill the trade won't be enough money to go around we have high outgoings and tbh there not even a shortage anymore there quite times most days now for drivers the only ones shouting for it to be scrapped are few smaller firm owners ie alfa cars and easy cars only because they want to line there pocket with radio rent commison if they were really worried about a shortage they would expand there training school and keep the job professional and not let it get flooded with uber eats and deliveroo driver's
204	anonymous	No I had 27 fares other day 14 of them said as directed by customer so explain to me hows that any different than Hackney???? Hackney still use sat nav same as we do!!!! The knowledge has to stay it taught me alot places I wouldn't of knew before and saved me alot of time not having to follow sat nav when the destination was not pre booked will be shocking service if you scrap it
205	anonymous	Is a big risk to drive while you follow Sat nav especially when your customers are talking with you.

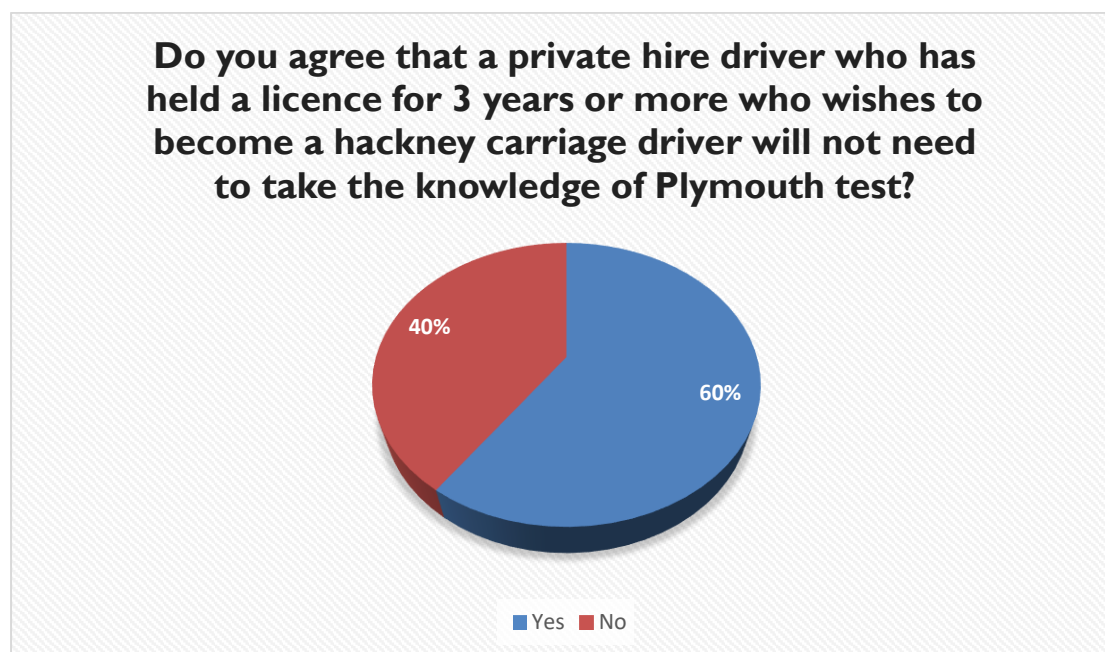
ID	Name	Responses
206	anonymous	The knowledge test should remain in place for everyone
207	anonymous	The test is important and keeps our city safe.
208	anonymous	<p>I think that the knowledge test should remain for a few reasons. First of all, quite a large number of private hire jobs come through on the system without a destination and just state 'as directed'. These quite often are jobs from restaurants and hotels, so the driver therefore becomes no different to a hackney driver and has to think on their feet exactly the same as a hackney driver does. Now because of where these jobs come from, quite often they are customers that live out of Plymouth and are visitors. How unprofessional would it look when a driver will have to start using the sat nav and ask for the address or having to ask for directions from the customer? Also I need to point out that using the sat nav will take you the quickest route, which most of the time is not the shorter cheaper route. If using the sat nav, quite often it will be trying to tell you to use the A38 when travelling through Plymouth from point to point, this could end up putting a minimum of £2 extra on the meter because of the extra distance to the shorter route. 9 times out of 10, customers want the cheaper route, not the quickest. This can cause a lot of problems for a driver, especially if the customer becomes very upset and could easily turn violent. Also quite often, people change their mind with the destination that is on the screen or need to pick up a friend from somewhere else on the way, so very often a private hire driver still needs to think on their feet. New drivers have already been saying how much the knowledge test helped them with knowing what routes to take when they started working, I also remember how much it helped me when I first started. It is also nice to be able to say that I worked hard at passing the knowledge test and if it is taken away, it would make my job feel worthless to me, please leave us with a sense of achievement in this job. Scrapping the test could also cause a massive influx of new drivers. This is not good for the already existing drivers as the work is already going downhill and we are very often now having to wait around for quite a while for our next job, private hire and hackney. Please come out and see what a Friday night is like now. Now obviously the large taxi offices will be in favour of scrapping the test so they can easily bring in more drivers, as the more drivers for them equates to more rent money. You will hear them saying we can't cover all the work, but please speak to the drivers about how much work there actually is. This could also push existing drivers into poverty and end up working for a lot less than minimum wage after costs, which then pushes drivers into working silly amounts of hours which is very dangerous for the customers and everyone else.</p>
209	anonymous	No there not a shortage of drivers there plenty of drivers through the day some days to many problem is only Friday and Saturday nights

ID	Name	Responses
		around pay weekend if u scrap knowledge it will kill the work load for all us drivers already in the trade
210	anonymous	I want the full test to be reintroduced, not 50% as it is now, if they don't know the streets and locations the drivers will keep their eyes on the phone, they will try to access the phone and they will be a danger for other traffic participants, for customers and for themselves.
211	anonymous	Been a driver for many years and use a satnav on every job as it is faster.

Topographical/Knowledge of Plymouth Test - Part Two

Do you agree that a private hire driver who has held a licence for 3 years or more who wishes to become a hackney carriage driver will not need to take the knowledge of Plymouth test?

375 responses were received. 224 (60%) of the respondents were in favour of the proposal and 151 (40%) were against the proposal.



130 comments were received.

ID	Name	Responses
1	anonymous	Regular retesting should happen too
2	anonymous	You need Knowledge of Plymouth! It was the one thing that made me confident knowing my routes you don't have time to sat nav it, you don't have time to sit and think about it when you take on a job you have to think and Go quickest way round! & I couldn't do this without my Knowledge test
3	anonymous	Na
4	anonymous	Seperate the two jobs totally giving Hackneys the extra bonus of passing a knowledge test
5	anonymous	Persons will be reliant on it systems and should be able to retain the required knowledge as we do now.
6	anonymous	See previous
7	anonymous	All drivers should have to complete the knowledge
8	anonymous	No
9	anonymous	The knowledge test was same for everyone so should be able to change it anytime....same with hackney if they want change for private.
10	anonymous	Knowledge is learnt through experience
11	anonymous	Knowing well plymouth is essential to do Hackney , if they use all the time google maps on private hire they will not memorise roads and places because there is no interest I. Learning . Service will became poor
12	anonymous	All drivers take same.test but you need to make it easier for private hire drivers to pick up and set down disabled and elderly within the city
13	anonymous	No they need knowledge straight away from day 1
14	anonymous	Let's make drivers life easy
15	anonymous	Only that it should be retained.
16	anonymous	I think driving around Plymouth and learning every area and street can take longer than 3 years, if you remove it for hackneys then they must be required to have a sat NAV in the vehicle to protect customers.

While it is accepted that an experienced PH Driver makes a better Taxi Driver through experience of 'out of the way places' the KOP test for Taxi Drivers is also more onerous with a higher pass mark and should be retained.

ID	Name	Responses
17	anonymous	All drivers should take test whether Hackney or Private Hire.
18	anonymous	No
19	anonymous	Every driver should be made to take a knowledge test I will always believe that it makes a massive difference
20	anonymous	Common sense that a driver with 3 years will have gathered more knowledge during that period.
21	anonymous	Remove the test
22	anonymous	Remove the test
23	anonymous	Rules should apply to both Hackney and Private Hire drivers, no exceptions.
24	anonymous	New private hire drivers should be allowed to start work immediately but learn the KOP as they work. Their first licence issued with a probationary of two years by which time they MUST have passed the KOP test. There should also be notification in or on the vehicle informing the customer that the driver is on a probationary licence.
25	anonymous	All hackney and private hire drivers should have taken and passed K.O.P.
26	anonymous	A private hire driver should be able to transfer straight across as the tests are similar
27	anonymous	No
28	anonymous	No
29	anonymous	Safety of passengers: Knowing the city allows them to drive safely, avoid dangerous routes and act quickly in case of emergency. Recommendations for locations and attractions: Taxi drivers can provide information and recommendations about places of interest, restaurants, hotels and other destinations, which can improve the customers' experience. Credibility and professionalism: Knowledge of the city demonstrates professionalism and customers trust in the drivers' ability to take them safely and on time to their destination.
30	anonymous	Yes any driver who comes into this industry either Hackney or private hire should have to do the knowledge test no exceptions. sat nav does not count .nore should it no one has ever been allowed to use it in knowledge test so how can pcc even consider allowing anyone to drive whether private or Hackney.
31	anonymous	There are currently drivers with private hire licenses who do not work as a driver at all and then they become Hackney carriage drivers after 3 years, a driver with 3 years experience should have no problem passing a knowledge test

ID	Name	Responses
32	anonymous	Hackney drivers need extensive knowledge, more than private hire drivers,a refresher is welcomed
33	anonymous	Knowing the city allows them to drive safely, avoid dangerous routes and act quickly in case of emergency. Drivers can provide information and recommendations about places of interest, restaurants, hotels and other destinations, which which can improve the customer experience. Knowledge of the city demonstrates professionalism and customers trust in the drivers' ability to take them safely and on time to their destination.
34	anonymous	Should remain i dont think its the knowledge test stoping people . It as simple as people dont want work as taxi driver.
35	anonymous	IF A DRIVER FALLOWS THE GPS ALL THE TIME , THEY WILL NEVER BE ABLE TO LEARN THE CITY BECAUSE , YOU RELY ON TECNOLOGLY RATHER YOUR OWN KNOWLEDGE OF CITY , EVEN BUSIST CITY IN UK SUCH AS LONDON STILL WANTS TO HACKNEY DRIVER TO PASS THE TEST WHICH IS WAY DIFFICULT THAN ONE WE HAVE IN PLYMOUTH , KNOWLEDGE MUST REMAIN .
36	anonymous	My answer to question 6 is yes providing the driver has operated as a private hire driver for the period
37	anonymous	Again, I am a bit split on this one but perhaps more yes than no. By this time knowledge of Plymouth should be satisfactory. Having said that, my experience as a knowledge tester is that even long standing PH drivers switching to hackney often have problems with knowledge tests involving smaller roads and this, I think, is down to following sat-navy's and not really paying attention to surroundings.
38	anonymous	If anybody wishes to become a taxi driver in Plymouth, they should be required to take the knowledge test even though they have been a private hire driver for three years or more
39	anonymous	A private hire driver who has been in that trade will in my opinion struggle to know a venue/route/address in 30 seconds as is what I believe to be the time as a hackney driver you have to do the journey.
40	anonymous	Once you've driven the street's for 3yrs or more you more or less know we're you're going.
41	anonymous	Knowledge of Plymouth should be the same for private hire and hackney carriage.
42	anonymous	No
43	anonymous	Keep the jobs seperate
44	anonymous	Leave it as it is, it ain't broke - don't fix it

ID	Name	Responses
45	anonymous	Everyone has to take an exam
46	anonymous	No
47	anonymous	You don't get the job on your screen. Customer gets in the back of your car and says where they want to go and you've got to know straight away you need certain amount of knowledge
48	anonymous	Hi I and many other I have spoke to believe kop test should remain it keeps the standard and professionalism of the trade high or else you would get uber and just eat drivers jumping on to do taxing who have no knowledge of our city they only deliver to houses wouldn't no any venues or points of interest it would give a bad first impression to people visiting the city many other citys have kept there knowledge test to keep standards high so should plymouth.
49	anonymous	Don't remove the test
50	anonymous	No knowledge test should be taken
51	anonymous	n
52	anonymous	n
53	anonymous	n
54	anonymous	n
55	anonymous	n
56	anonymous	n
57	anonymous	It is vital that all cab drivers have a knowledge of addresses and the geography of Plymouth. All applicants must do the work necessary to achieve this and pass the KOP test.
58	anonymous	No, I don't agree.
59	anonymous	As previous answer
60	anonymous	All drivers should have a local knowledge without tecknology
61	anonymous	We are not happy with it, you put us to risk to reduce or even to loose our income which will take away the daily bread from our kids and with cost of living our family will face a very difficult time. Please keep the Knowledge test, those who able to pass they are more then welcome to join us on the trade.
62	anonymous	If I got into a Hackney I would want to be able to give a a name of a business or building without knowing the full address. I would be concerned that a driver that

ID	Name	Responses
		relies on being given a start point and an end point might not have the same knowledge
63	anonymous	Agreed, I've driven for 17 years and know Plymouth well, I don't know every street name but areas and routes are straight forward
64	anonymous	Nobody wants to become a Hackney driver anymore, the tariff for private hire is bigger than tariff for Hackney.
65	anonymous	No should take it as I said in my other comment should still take it
66	anonymous	Everyone who is willing to become a driver, whether its Hackney or private hire should undertake KOP test.
67	anonymous	It is already in the trade and ready for Hackney.
68	anonymous	This is only sensible as 3 years is more than enough for a driver to have sufficient knowledge of Plymouth routes and venues.
69	anonymous	Should already have knowledge of Plymouth.
70	anonymous	I also feel that if people can prove that they have done a job that is equivalent to that of a private hire driver (E.g. A delivery driver) they should also be permitted to obtain a Hackney Carriage Licence, as long as the amount of driving (and areas of driving) is equivalent to that of a Private Hire Driver
71	anonymous	absolutely no need for to complete the K.O.P again.
72	anonymous	way over dew
73	anonymous	Like before a stupid idea the public have a right to expect a certain knowledge of the city and other places beyond the city limits
74	anonymous	After three years they should have a reasonably sound knowledge of Plymouth and should not have to take an additional test.
75	anonymous	Should know main routes
76	anonymous	As long as they have done knowledge tests
77	anonymous	Don't remove the test
78	anonymous	A doctor learns about medicine a mechanic learns about engines a taxi driver should learn the streets
79	anonymous	No
80	anonymous	Sat nav is not always accurate or give you the shortest route.

ID	Name	Responses
81	anonymous	No we need the knowledge test or else drivers wouldn't even have a basic understanding of routes and points of interest
82	anonymous	Again same as above.
83	anonymous	No
84	anonymous	After 3 years of private hire driving you should have acquired a good knowledge of the city
85	anonymous	No
86	anonymous	No
87	anonymous	As much as they do longer jobs they know the area very well they don't need do knowledge test .
88	anonymous	No comments
89	anonymous	I swapped from Private Hire to Hackney Carriage (so from a app having Pins on a map A to B to literally interacting with people to match you are going on the right place for the right fare) and I found that I need to learn some more in terms of routs and roads simply because some of the customers are jumping in your cab they don't know the postcode but they tell you which way to go.
90	anonymous	Yes, keep it the KOP
91	anonymous	Not right at all, response provided in part one.
92	anonymous	No
93	anonymous	EVERY ONE SHOULD HAVE A KNOWLEDGE TEST AND THERE SHOULD BE ON PERCENTAGE
94	anonymous	They still need to pass the knowledge test
95	anonymous	N/A
96	anonymous	Don't really care
97	anonymous	The Driver should achieve a 90% pass mark.
98	anonymous	Again, most drivers I've had in the past few years use sat navs
99	anonymous	I was made aware of these questions by a taxi driver who took me home to Tamerton and he was saying that drivers should have to sit a test, however he had no idea where he was going and had to use a satnav himself even though he has taken a test so there is no point of a test.

ID	Name	Responses
100	anonymous	Hackney drivers know more about plymouth than private hire with regards addresses I would say as they have to know where they are going as soon as the customer tells them. I think everything should be done PROFESSIONALLY and if that means sitting NECESSARY tests then so be it.
101	anonymous	Not really sure but I would seperate the jobs
102	anonymous	Again poor decision to go down these road of people with no understanding of here
103	anonymous	Every driver should take a knowledge test
ID	Name	Responses
104	anonymous	Without an knowledge rest,nobody should have taxibadge in Plymouth
124	anonymous	This is a back door way of watering down the standards of the taxi trade in Plymouth, if this were to go ahead i believe that there would be very few if any new hackney drives in the next Three years and there after we would have an influx of private hire drivers transferring over to hackney which would detrimental to both sides of the trade.
127	anonymous	They should take a knowledge test
111	anonymous	They should do another test and get higher percent form private hire
129	anonymous	The knowledge test without doubt needs to stay as it genuinely helps prepare drivers for this job.
128	anonymous	The Test is important
130	anonymous	Seperate the two totally or allow PHV to be badged as Hackneys
113	anonymous	Private hire drivers should pass the knowledge test to obtain the private hire badge
122	anonymous	Private hire driver already done the test
109	anonymous	Plymouth is not that big so 3 years is more than enough to get to know it while driving a ph on a daily basis.
125	anonymous	No should have to do even if you lot make the mistake of scrapping it
106	anonymous	No
114	anonymous	No
123	anonymous	No


ID	Name	Responses
107	anonymous	In the age of satnavs, there is no need for a test
116	anonymous	If you have 3 years private hire it is obvious you have sound knowledge about the business
110	anonymous	If somebody has been a private hire for minimum 3 years, that means that that person has the knowledge about the streets in Plymouth, so very easily can become a hackney carriage.
118	anonymous	I understand due to covid that Plymouth City Council has lost a lot of revenue due to drivers leaving the trade and no new drivers coming into the trade. PCC should also offer direct debit facilities to pay for all types of taxi licences as well. And Plymouth City Council taxi licencing operates a lot quicker by having face to face meetings for applications again and not taking 3 days to respond. There are ways that this can be achieved by talking to the private hire drivers and Hackney drivers. The feeling is that amongst the drivers from both Hackney and Private hire that this is just a pure money grab from Plymouth City Council. By getting rid of the KOP test to get more drivers to fill your coffers up you get rid of the KOP you will also flood the trade with untrained new drivers and in the process you lose more of the established drivers as well especially the stubborn old ones.
119	anonymous	I think 3 years experience is more than enough.
105	anonymous	I proposed this idea myself to Steve Foreshaw, at least they have earned themselves some knowledge. Although I don't think the KOP test should be dropped I've answered this question as we know the Council will drop it anyway and give into pressure from private hire offices only interested in increasing their income rents rather than safety of the public
126	anonymous	Even worse. Using the sat nav while driving? Or typing while customer is watching? Not talking about what the driver will understand if he doesn't know the streets. Once you drive with sat nav will never know the streets.
117	anonymous	By taking out the K.O.P. you are decreasing the quality of the services offered by private hire drivers/hackney carriage drivers. You have high expectations from this people regarding the services that they are providing and also the skills with the people including taking care of them, saving them from dangerous situations that they are passing etc. I think that you should be even more severe regarding the process of obtaining the right to be a private hire driver or a hackney carriage driver
121	anonymous	Because they should still take the Kopp test
115	anonymous	After three years on the road, the P/H driver should be competent and there for have no issues changing to Hackney

ID	Name	Responses
120	anonymous	After 3 years of doing this job I can imagine you know City very well, and you don't need additional tests. In my opinion K.O.P test should stay as it is. Test For PH driver and Hackney driver is similar so whats the point to do it second time anyway.
108	anonymous	A taxi driver should have to complete the knowledge test before they become a taxi driver. Having been a taxi driver in this city for almost 25 years. I can tell you you need to know the correct route to take for journeys which I learnt through taxi school not on sat nav systems which do not take you the shortest route
112	anonymous	A private hire driver already has passed a knowledge test, plus the work experience should be proof enough for their knowledge of Plymouth.

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EQUALITY IMPACT ASSESSMENT – AMENDMENTS TO HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY 2022

SECTION ONE: INFORMATION ABOUT THE PROPOSAL

Author(s): This is the person completing the EIA template.	Nicola Horne Environmental Health Manager Public Protection Service Office of the Director of Public Health	Department and service:	Public Protection Service Office of the Director of Public Health	Date of assessment:	15th December 2023
Lead Officer: Please note that a Head of Service, Service Director, or Strategic Director must approve the EIA.	Ruth Harrell Director of Public Health	Signature:		Approval date:	15 th December 2023
Overview:	Amendments to the Hackney Carriage and Private Hire Licensing Policy 2022 in relation to Livery and Topographical Knowledge of Plymouth tests taking into consideration the economic and operational changes that have arisen since implementation in May 2022.				
Decision required:	To make amendments to the Hackney Carriage and Private Hire Licensing Policy 2022 in relation to livery and the Topographical Knowledge of Plymouth requirements.				

SECTION TWO: EQUALITY IMPACT ASSESSMENT SCREENING TOOL

Potential external impacts: Does the proposal have the potential to negatively impact service users, communities or residents with protected characteristics?	Yes		No	√
Potential internal impacts: Does the proposal have the potential to negatively impact Plymouth City Council employees?	Yes		No	√
Is a full Equality Impact Assessment required? (if you have answered yes to either of the questions above then a full impact assessment is required and you must complete section three)	Yes		No	√
If you do not agree that a full equality impact assessment is required, please set out your justification for why not.	These amendments to existing policy are not anticipated to result in any adverse impacts.			

SECTION THREE: FULL EQUALITY IMPACT ASSESSMENT

Protected characteristics (Equality Act, 2010)	Evidence and information (e.g., data and consultation feedback)	Adverse impact	Mitigation activities	Timescale and responsible department
Age	Plymouth <ul style="list-style-type: none"> 16.4 per cent of people in Plymouth are children aged under 15. 65.1 per cent are adults aged 15 to 64. 18.5 percent are adults aged 65 and over. 2.4 percent of the resident population are 85 and over. Southwest	Passengers accessing taxi services are not age-specific and would include all age groups from 18 years of age onwards. <u>Under 18s</u> Children and young people access taxi services in particular on an arranged contractual basis to attend educational	All taxi drivers and operators are fully vetted under the taxi application process prior to being granted a licence. Any discriminatory complaints received are fully investigated.	Taxi Licensing Officers and Police Officers

	<ul style="list-style-type: none"> • 15.9 per cent of people are aged 0 to 14, 61.8 per cent are aged 15 to 64. • 22.3 per cent are aged 65 and over. <p>England</p> <ul style="list-style-type: none"> • 17.4 per cent of people are aged 0 to 14. • 64.2 per cent of people are aged 15 to 64. • 18.4 per cent of people are aged 65 and over. <p>(2021 Census)</p>	<p>establishments. Normally these client groups would be accompanied by nominated carers or parents.</p>		
<p>Care experienced individuals.</p> <p>(Note that as per the Independent Review of Children’s Social Care recommendations, Plymouth City Council is treating care experience as though it is a protected characteristic).</p>	<p>It is estimated that 26 per cent of the homeless population in the UK have care experience. In Plymouth there are currently 7 per cent of care leavers open to the service (6 per cent aged 18-20 and 12 per cent of those aged 21+) who are in unsuitable accommodation.</p> <p>The Care Review reported that 41 per cent of 19–21-year-old care leavers are not in education, employment or training (NEET) compared to 12 per cent of all other young people in the same age group.</p> <p>In Plymouth there are currently 50 per cent of care leavers aged 18-21 Not in Education Training or Employment (54 per cent of all those care leavers aged 18-24 who are open to the service).</p> <p>There are currently 195 care leavers aged 18 to 20 (statutory service) and 58 aged 21 to 24 (extended offer). There are more care</p>	<p>There are no differential issues for this protected characteristic.</p> <p>It is not anticipated that the amendments to the Policy will have a direct adverse impact on this protected characteristic.</p> <p>The prevention of crime and disorder aspects would include hate crime.</p>	<p>Any discriminatory complaints received are fully investigated.</p>	<p>Taxi Licensing Officers and Police Officers</p>

	leavers aged 21 to 24 who could return for support from services if they wished to.			
Disability	<p>9.4 per cent of residents in Plymouth have their activities limited 'a lot' because of a physical or mental health problem.</p> <p>12.2 per cent of residents in Plymouth have their activities limited 'a little' because of a physical or mental health problem (2021 Census)</p>	<p>The hackney carriage fleet is 100% wheelchair accessible, however some vehicles may not be available to wheelchair users, as a result of drivers holding medical exemption certificates and there may be an impact on the client group.</p> <p>Hackney carriage vehicles must also carry assistance dogs.</p> <p>Officer regularly monitors wheelchair access and investigate all complaints where discrimination may arise.</p>	<p>These proposals are not intended to impact on this client group and are intended to ensure additional vehicles can be used for wheelchair access.</p> <p>Any discriminatory complaints received are fully investigated.</p>	<p>Ongoing</p> <p>Taxi Licensing Officers and Police Officers</p>
Gender reassignment	<p>0.5 per cent of residents in Plymouth have a gender identity that is different from their sex registered at birth. 0.1 per cent of residents identify as a trans man, 0.1 per cent identify as non-binary and, 0.1 per cent identify as a trans woman (2021 Census).</p>	<p>There are no differential issues for this protected characteristic.</p> <p>It is not anticipated that the amendments to the Policy will have a direct adverse impact on this protected characteristic.</p> <p>The prevention of crime and disorder aspects would include hate crime.</p>	<p>Any discriminatory complaints received are fully investigated.</p>	<p>Taxi Licensing Officers and Police Officers</p>
Marriage and civil partnership	<p>40.1 per cent of residents have never married and never registered a civil partnership. 10 per cent are divorced, 6 percent are</p>	<p>There are no differential issues for this protected characteristic.</p>	<p>Any discriminatory complaints received are fully investigated.</p>	<p>Taxi Licensing Officers and Police Officers</p>

	<p>widowed, with 2.5 per cent are separated but still married.</p> <p>0.49 per cent of residents are, or were, married or in a civil partnership of the same sex. 0.06 per cent of residents are in a civil partnership with the opposite sex (2021 Census).</p>	<p>It is not anticipated that the amendments to the Policy will have a direct adverse impact on this protected characteristic.</p> <p>The prevention of crime and disorder aspects would include hate crime.</p>		
Pregnancy and maternity	<p>The total fertility rate (TFR) for England was 1.62 children per woman in 2021. The total fertility rate (TFR) for Plymouth in 2021 was 1.5.</p>	<p>There are no differential issues for this protected characteristic.</p> <p>It is not anticipated that the amendments to the Policy will have a direct adverse impact on this protected characteristic.</p>	<p>Any discriminatory complaints received are fully investigated.</p>	<p>Taxi Licensing Officers and Police Officers</p>
Race	<p>In 2021, 94.9 per cent of Plymouth's population identified their ethnicity as White, 2.3 per cent as Asian and 1.1 per cent as Black (2021 Census)</p> <p>People with a mixed ethnic background comprised 1.8 per cent of the population. 1 per cent of the population use a different term to describe their ethnicity (2021 Census)</p> <p>92.7 per cent of residents speak English as their main language. 2021 Census data shows that after English, Polish, Romanian, Chinese, Portuguese, and Arabic are the most spoken languages in Plymouth (2021 Census).</p>	<p>Currently driver demographic covers many nationalities.</p> <p>It is not anticipated that the amendments to the Policy will have a direct adverse impact on this protected characteristic.</p> <p>The prevention of crime and disorder aspects would include hate crime.</p>	<p>Any discriminatory complaints received are fully investigated.</p>	<p>Taxi Licensing Officers and Police Officers</p>
Religion or belief	<p>48.9 per cent of the Plymouth population stated they had no religion. 42.5 per cent of</p>	<p>Currently driver demographic covers many</p>	<p>Any discriminatory complaints received are fully investigated.</p>	<p>Taxi Licensing Officers and Police Officers</p>

	<p>the population identified as Christian (2021 Census).</p> <p>Those who identified as Muslim account for 1.3 per cent of Plymouth's population while Hindu, Buddhist, Jewish or Sikh combined totalled less than 1 per cent (2021 Census).</p>	<p>nationalities and many religious beliefs and religions.</p> <p>It is not anticipated that the amendments to the Policy will have a direct adverse impact on this protected characteristic.</p> <p>The prevention of crime and disorder aspects would include hate crime.</p>		
Sex	<p>51 per cent of our population are women and 49 per cent are men (2021 Census).</p>	<p>There are no differential issues for this protected characteristic.</p> <p>It is not anticipated that the amendments to the Policy will have a direct adverse impact on this protected characteristic.</p> <p>The prevention of crime and disorder aspects would include hate crime.</p>	<p>Any discriminatory complaints received are fully investigated.</p>	<p>Taxi Licensing Officers and Police Officers</p>
Sexual orientation	<p>88.95 per cent of residents aged 16 years and over in Plymouth describe their sexual orientation as straight or heterosexual. 2.06 per cent describe their sexuality as bisexual, 1.97 per cent of people describe their sexual orientation as gay or lesbian. 0.42 per cent of residents describe their sexual orientation using a different term (2021 Census).</p>	<p>There are no differential issues for this protected characteristic.</p> <p>It is not anticipated that the amendments to the Policy will have a direct adverse impact on this protected characteristic.</p> <p>The prevention of crime and disorder aspects would include hate crime.</p>	<p>Any discriminatory complaints received are fully investigated.</p>	<p>Taxi Licensing Officers and Police Officers</p>

SECTION FOUR: HUMAN RIGHTS IMPLICATIONS

Human Rights	Implications	Mitigation Actions	Timescale and responsible department
	<p>There are no differential issues for this protected characteristic.</p> <p>It is not anticipated that the amendments to the Policy will have a direct adverse impact on this protected characteristic.</p>	Any discriminatory complaints received are fully investigated.	Taxi Licensing Officers and Police Officers

SECTION FIVE: OUR EQUALITY OBJECTIVES

Equality objectives	Implications	Mitigation Actions	Timescale and responsible department
Celebrate diversity and ensure that Plymouth is a welcoming city.	There are no differential issues for this protected characteristic.	Any discriminatory complaints, negative impacts to strategies and policies received are fully investigated.	Taxi Licensing Officers and Police Officers.
Pay equality for women, and staff with disabilities in our workforce.	It is not anticipated that the amendments to the Policy will have a direct adverse impact on any of the five listed equality objectives.		
Supporting our workforce through the implementation of Our People Strategy 2020 – 2024			
Supporting victims of hate crime so they feel confident to report incidents, and working with, and through our partner organisations to achieve positive outcomes.			
Plymouth is a city where people from different backgrounds get along well.			

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City Council



Date of meeting:	29 January 2024
Title of Report:	Licensing Act 2003 – Statement of Licensing Policy 2024 - 2029
Lead Member:	Councillor Sally Haydon (Cabinet Member for Community Safety, Libraries, Cemeteries & Crematoria)
Lead Strategic Director:	Ruth Harrell (Director of Public Health)
Author:	Katharine O'Connor, Service Manager, Public Protection Service
Contact Email:	Katharine.O'Connor@plymouth.gov.uk
Your Reference:	LSOP/CAB/JAN08
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of Report

The Licensing Act 2003 places a duty on the Licensing Authority to determine and publish a Statement of Licensing Policy every five years.

The current Statement of Licensing Policy was published and became operative from 31 March 2019 and is valid until 30 March 2024.

Before determining its Policy, the Licensing Authority must consult in accordance with s.182 guidance issued under the Licensing Act 2003.

The draft policy was consulted on for four weeks between Thursday 16 November 2023 and Friday 15 December 2023. This report contains details of the consultation responses and a draft of the policy proposed to be adopted.

Recommendations and Reasons

That the Council adopts the Licensing Statement of Policy contained in Appendix A with effect from 31 March 2024.

Reason: The Policy has been updated to reflect changes in statutory guidance and the current needs of the City.

Alternative options considered and rejected

There are no alternative options – the Policy must be considered and adopted by Plymouth City Council in order to comply with statutory requirements. Failure to approve the Policy before 31 March 2024 would result in the Council not being able to process any licensing applications after the 31 March 2024 until a new policy statement has been formally approved.

Relevance to the Corporate Plan and/or the Plymouth Plan

This Policy links to the delivery of the City and Council priorities. In particular:

Working with the Police to tackle crime and anti-social behaviour:

The Policy provides the framework by which the Licensing Authority and the Police can promote and ensure that the Licensing Objectives are met and alcohol related crime is reduced. The licensing objectives are:

- Prevention of Crime and disorder
- Promotion of public safety
- Prevention of nuisance
- Protection of children from harm

Keeping children, adults, and communities safe:

The Policy provides the framework that regulates the sale of alcohol, provision of certain entertainment and late-night refreshment thereby ensuring Plymouth is a friendly, welcoming city, making sure people feel safe in the city, protecting children, young people and adults.

Implications for the Medium Term Financial Plan and Resource Implications:

None. Government has set fees at a level that they believe will achieve full recovery of the administrative, inspection and enforcement costs falling on the Licensing Authority associated with their licensing functions under the Licensing Act 2003. The review of the Licensing Policy is a core part of the licensing function and there are no future financial implications.

Financial Risks

There are no financial implications arising from this report or the proposed consultation.

The work on the revision of the Statement of Licensing Policy has been undertaken within the current resources of the Licensing Service.

Carbon Footprint (Environmental) Implications:

None

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

** When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.*

Members should be aware that Section 17 of the Crime and Disorder Act 1998 puts a statutory duty on every Local Authority to exercise its various functions with due regard to the need to do all that it reasonably can do to prevent crime and disorder in its area.

The Licensing Policy has a key role in reducing alcohol related crime and disorder, the fear of crime and the prevention of nuisance or anti-social behaviour. Risk taking behaviour, such as irresponsible alcohol usage can affect individual, their families, local communities and society as a whole. This policy aims to play its part in minimising the negative aspects of alcohol supply and use.

Appendices

**Add rows as required to box below*

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A	Briefing report: Statement of Licensing Policy							
B	Equalities Impact Assessment							
C	Draft Statement of Licensing Policy 2024 - 2029							

Background papers:

*Add rows as required to box below

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
	1	2	3	4	5	6	7

Sign off:

Fin	HLSI 9122 3	Leg	IW 18.12. 23 TCS 2516	Mon Off		HR		Asset s		Strat Proc	
Originating Senior Leadership Team member: Ruth Harrell (Director of Public Health)											
Please confirm the Strategic Director(s) has agreed the report? Yes											
Date agreed: 18/12/2023											
Cabinet Member approval: Councillor Sally Haydon (Cabinet Member for Community Safety, Libraries, Cemeteries & Crematoria) approved by email.											
Date approved: 18/12/2023											

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APPENDIX A: STATEMENT OF LICENSING POLICY 2024 - 2029

I. BACKGROUND

1.1 The Licensing Act 2003 requires the Licensing Authority to detail how it intends to operate and promote the licensing objectives set out in the Act by publishing a Statement of Licensing Policy. The four licensing objectives are:

- prevention of crime and disorder
- public safety
- prevention of public nuisance
- protection of children from harm

1.2 The policy sets out the principles the Licensing Authority will apply when carrying out statutory licensing duties. It details how licenced premises should operate. It informs decisions on whether to issue a licence and which conditions may be appropriate to attach to the licence.

1.3 All applicants for premises licences or club premises certificates in Plymouth are expected to have regard to the Statement of Licensing Policy and the pool of Model Conditions when preparing their operating schedules. The policy sets out a framework of what is expected from applicants and also assists them in completing their operating schedule.

1.3 The Licensing Authority must determine and publish a Statement of Licensing Policy at least every five years. The existing Statement of Licensing Policy was published in March 2019 and must be updated before 31 March 2024.

1.4 The updates contained in this version of the policy reflect changes in the statutory guidance, issued in August 2023. There are no significant changes required at this time.

1.5 Whilst this policy must be reviewed every five years, the Licensing Authority must have regard to the guidance issued by the Home Office and keep its Licensing Policy Statement under review and revised as appropriate. Any proposed changes to the statement of licensing policy will be subject to a full public consultation.

2. PROPOSED CHANGES

2.1 A number of updates have been made to the policy to ensure the policy is fit for our City and to follow the Revised Guidance issued under section 182 of the Licensing Act 2003 in August 2023.

2.2 The main changes in the guidance reflected in the Policy are summarised below:

1. Amendments to reflect changes for premises providing 'alcohol delivery services'.
2. Amendments to reflect changes in the entitlement to work in the UK for EEA citizens.
3. Clarification that Home Office Immigration Enforcement are not a responsible authority for club premises certificates.
4. Insertion of new section to reflect increase in limits to Temporary Event Notice (TENs) thresholds.
5. Clarification of rights of appeal in respect of late TENs following objection by the police or Environmental Health.
6. Clarification that full variations of premises licences should not be used to "vary substantially the premises to which the licence relates".
7. Addition of information detailing the Licensing Authority's support of the alcohol industry in demonstrating their commitment to promoting responsible drinking by seeking to ensure that the sector doesn't entice young people to drink, through the Community Alcohol Partnership (CAP)
8. Cumulative Impact Policy (CIP) – The Policy references and signposts readers to the CIP, which was last reviewed at the end of 2022. The CIP is now a stand-alone policy – it does not form part of the Statement of Licensing Policy.

9. Reference to the “Agent of Change Principle” whereby existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established.
10. Reference to the yet to be enacted legislation, the Terrorism (Protection of Premises) Bill, which aims to keep people safe by enhancing our national security and reducing the risk to the public from terrorism at of public venues. It will place a requirement on those responsible for certain locations to consider the threat from terrorism and implement appropriate and proportionate mitigation measures.
11. Updated list of Pool of Conditions.

3. CONSULTATION PROCESS

3.1 The Licensing Act 2003 states that before determining its policy a Licensing Authority must consult:

- The chief officer of police
- The Fire Authority
- Local Health Board
- Office of the Director of Public Health
- Such persons as the licensing authority considers to be representative of holders of premises licences issued by the authority.
- Such persons as the licensing authority considers to be representative of holders of club premises certificates issued by the authority.
- Such persons as the licensing authority considers to be representative of holders of personal licences issued by the authority.
- Such other persons as the licensing authority considers to be representative of businesses and residents in its area.

3.2 A four-week public consultation exercise was undertaken between 16 November 2023 and 15 December 2023. Letters were sent to all premises holding either a ‘premises licence’ or club premises certificate’ and personal licence holders advising them of the consultation. A similar letter was sent to the Resident / Community groups and faith groups for which contact details were available. Details of the consultation were posted on our webpages. A total of approximately four thousand people or groups were contacted directly by letter. In addition, the responsible authorities were consulted (Police, Child Protection, Fire and Rescue Service, Trading Standards, Environmental Health, Public Health, Planning Authority, HSE, Maritime & Coastguard Agency and the Home Office).

3.3 A total of seven responses were received as a result of the consultation process. The written responses are contained in the table below:

No.	Consultee type	Supportive of the draft Statement of Policy?	Any changes required?	Comments
1	Personal Licence Holder	Yes	No	It is good that licensee people have this in place as people can get away with stuff and it should be stopped and people get punished correctly for their actions
2	Premises Licence Holder	Yes	No	
3	Premises Licence Holder	Yes	No	Seems that there are no changes for our operation

4	Premises Licence Holder	Yes		
5	Premises Licence Holder	Yes	No	No real changes to last one
6	Personal Licence Holder	Yes	No	No significant changes
7	Stakeholder	Yes	No	Looks very comprehensive – I do not think I have anything to add


4. CONCLUSION

4.1 The statutory guidance updates have been included in the proposed policy. There are no other significant changes required at this time.

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EQUALITY IMPACT ASSESSMENT – CONSIDERATION OF THE STATUTORY 5-YEAR REVIEW AND CONSULTATION OF THE CURRENT STATEMENT OF LICENSING POLICY 2019 TO 2024 TO INFORM THE STATEMENT OF LICENSING POLICY 2024 TO 2029.

SECTION ONE: INFORMATION ABOUT THE PROPOSAL

<p>Author(s): This is the person completing the EIA template.</p>	<p>Katharine O'Connor Environmental Health (Food Safety) Service Manager Public Protection Service Office of the Director of Public Health</p>	<p>Department and service:</p>	<p>Intelligence and Licensing Public Protection Service Office of the Director of Public Health</p>	<p>Date of assessment:</p>	<p>15th December 2023</p>
<p>Lead Officer: Please note that a Head of Service, Service Director, or Strategic Director must approve the EIA.</p>	<p>Ruth Harrell Director of Public Health</p>	<p>Signature:</p>		<p>Approval date:</p>	<p>18 December 2023</p>
<p>Overview:</p>	<p>Consideration of the statutory 5-year review and consultation of the current Statement of Licensing Policy 2019 to 2024 to inform the draft Statement of Licensing Policy 2019 to 2024. The supply and sale of alcohol has a significant contribution to:</p> <ul style="list-style-type: none"> • Local health inequalities • Crime and disorder • Impact on communities and individuals through anti-social behaviour and noise • Violent crime, sexual offences, and domestic abuse • Positive impact on economic growth <p>The Licensing Policy will be used to promote the four licensing objectives, which are:</p> <ul style="list-style-type: none"> • Prevention of crime and disorder • Protection of public safety • Prevention of public nuisance 				

	<ul style="list-style-type: none"> • Protection of children from harm <p>The Policy will provide the framework to ensure there is a balance between business activity and the protection of communities and individuals.</p> <p>The Policy has to recognise that it can only impact the management of licenced premises in areas under the control of the licensee or nominated manager. Many alcohol problems are associated with alcohol consumption and personal behaviour. Licensees can only control matters within their premises or within the vicinity.</p> <p>The Policy cannot place a cap on the number of alcohol licences, but it will restrict the addition of new licences where appropriate through the use of the Cumulative Impact Policy.</p> <p>The licensing system relies on responsible authorities in the consideration of applications and the monitoring of existing licences. Responsible authorities, such as the Police, will use their intelligence sources and their own Equality Impact Assessments (EIA) to use the licensing system to promote the licensing objectives. The licensing objectives will be used where appropriate to eliminate unlawful discrimination and promote positive outcomes for the nine protected characteristics.</p> <p>The Policy will work in partnership to support other plans and strategies to:</p> <ul style="list-style-type: none"> • Improve health inequalities, social inclusion, and community protection • Reduce crime and disorder • Reduce alcohol misuse • Encourage community engagement and participation in decision making • Encourage tourism and sustainable economic growth <p>Measures such as responsible retailing, reducing the use of glass and cumulative impact are examples of how this will be achieved.</p> <p>The Policy is designed to have a positive impact on the protection of individual and communities. The policy will be reviewed and any new information that comes forward as a result of other EIAs will be incorporated into future policies and EIAs.</p>
<p>Decision required:</p>	<p>To consider the statutory 5-year review and consultation responses for the current Statement of Licensing policy 2019 to inform next Statement of Licensing Policy 2024 to 2029.</p>

SECTION TWO: EQUALITY IMPACT ASSESSMENT SCREENING TOOL

<p>Potential external impacts: Does the proposal have the potential to negatively impact service users, communities, or residents with protected characteristics?</p>	Yes		No	√
<p>Potential internal impacts: Does the proposal have the potential to negatively impact Plymouth City Council employees?</p>	Yes		No	√
<p>Is a full Equality Impact Assessment required? (If you have answered yes to either of the questions above then a full impact assessment is required and you must complete section three)</p>	Yes	√	No	
<p>If you do not agree that a full equality impact assessment is required, please set out your justification for why not.</p>	N/A			

SECTION THREE: FULL EQUALITY IMPACT ASSESSMENT

Protected characteristics (Equality Act, 2010)	Evidence and information (e.g., data and consultation feedback)	Adverse impact	Mitigation activities	Timescale and responsible department
<p>Age</p>	<p>Plymouth</p> <ul style="list-style-type: none"> • 16.4% of people in Plymouth are children aged under 15 • 65.1% are adults aged 15 to 64 • 18.5% are adults aged 65 and over • 2.4% of the resident population are 85 and over <p>Southwest</p>	<p><u>18-25</u></p> <p>The evening and nighttime economy is mainly used by the 18-25 year age group.</p> <p>Some of the proposals may impact on licensing hours, particularly those used by the 18-to-25 year age group.</p>	<p>The aim of the Policy is to promote public safety and protect local communities. It is in the overriding public interest that these proposals are introduced.</p> <p>The Policy is designed to minimise the negative impact of the legal</p>	<p>The Policy will be formally reviewed every 5 years or sooner if required by the Licensing Team, ODPH.</p>

	<ul style="list-style-type: none"> • 15.9 % of people are aged under 15 • 61.8 % are aged 15 to 64 • 22.3 % are aged 65 and over <p>England</p> <ul style="list-style-type: none"> • 17.4 % of people are aged under 15 • 64.2 % of people are aged 15 to 64 • 18.4 % of people are aged 65 and over <p>(2021 Census)</p>	<p><u>Under 18s</u></p> <p>Children and young people can be directly or indirectly affected by alcohol.</p> <p>There are elevated alcohol related hospital admissions above national average and alcohol is a significant contributor to domestic abuse.</p> <p>30% of child protection cases have a domestic abuse concern – over half involve alcohol as a contributory factor.</p> <p>Plymouths hidden harm assessment predicts that between 3,900 and 6,500 children are affected by significant parental alcohol misuse.</p>	<p>operation of the licensable activities.</p> <p>The policy will be reviewed as necessary to ensure adequate protection as far as the law allows.</p> <p>Applications will be refused, conditions added, or review of existing licences will be undertaken in order to ensure the Protection of Children from Harm.</p> <p>Children’s Safeguarding Board will remain a consultee for all applications.</p>	
<p>Care experienced individuals.</p> <p>(Note that as per the Independent Review of Children’s Social Care recommendations,</p>	<p>It is estimated that 26 % of the homeless population in the UK have care experience. In Plymouth there are currently 7 % of care leavers open to the service (6 % aged 18-20 and 12 % of those aged 21+) who are in unsuitable accommodation.</p> <p>The Care Review reported that 41 % of 19–21-year-old care leavers are not in education, employment, or training (NEET) compared to</p>	<p>There are no differential issues for this protected characteristic.</p> <p>It is not anticipated that the amendments to the Policy will have a direct adverse impact on this protected characteristic.</p>	<p>Any discriminatory complaints received are fully investigated.</p>	<p>Licensing Officers and Police Officers</p>

<p>Plymouth City Council is treating care experience as though it is a protected characteristic).</p>	<p>12 % of all other young people in the same age group. In Plymouth there are currently 50 % of care leavers aged 18-21 Not in Education Training or Employment (54 % of all those care leavers aged 18-24 who are open to the service). There are currently 195 care leavers aged 18 to 20 (statutory service) and 58 aged 21 to 24 (extended offer). There are more care leavers aged 21 to 24 who could return for support from services if they wished to.</p>	<p>The prevention of crime and disorder aspects would include hate crime.</p>		
<p>Disability</p>	<p>9.4 % of residents in Plymouth have their activities limited 'a lot' because of a physical or mental health problem. 12.2 % of residents in Plymouth have their activities limited 'a little' because of a physical or mental health problem (2021 Census)</p>	<p>Mental health issues and alcohol mis-use and harm are well recognised. Alcohol dependency among psychiatric patients is almost double that of the general population.</p>	<p>The Policy is designed to minimise the negative impact of the legal operation of the licensable activities. The Policy will be reviewed as necessary to ensure adequate protection as far as the law allows.</p>	<p>The Policy will be formally reviewed every 5 years or sooner if required.</p>
<p>Gender reassignment</p>	<p>0.5 % of residents in Plymouth have a gender identity that is different from their sex registered at birth. 0.1 % of residents identify as a trans man, 0.1 % identify as non-binary and, 0.1 % identify as a trans woman (2021 Census).</p>	<p>There are no differential issues for this protected characteristic.</p>	<p>It is not anticipated that the Policy will have a direct adverse impact on this protected characteristic. The prevention of crime and disorder aspects of the policy would include hate crime.</p>	<p>The Policy will be reviewed as necessary to ensure adequate protection as far as the law allows and to identify any adverse impacts.</p>

<p>Marriage and civil partnership</p>	<p>40.1 % of residents have never married and never registered a civil partnership. 10 % are divorced, 6 percent are widowed, with 2.5 % are separated but still married.</p> <p>0.49 % of residents are, or were, married or in a civil partnership of the same sex. 0.06 % of residents are in a civil partnership with the opposite sex (2021 Census).</p>	<p>There are no differential issues for this protected characteristic.</p> <p>It is not anticipated that the amendments to the Policy will have a direct adverse impact on this protected characteristic.</p> <p>The prevention of crime and disorder aspects would include hate crime.</p>	<p>Any discriminatory complaints received are fully investigated.</p>	<p>Licensing Officers and Police Officers</p>
<p>Pregnancy and maternity</p>	<p>The total fertility rate (TFR) for England was 1.62 children per woman in 2021. The total fertility rate (TFR) for Plymouth in 2021 was 1.5.</p>	<p>There are no differential issues for this protected characteristic.</p> <p>It is not anticipated that the amendments to the Policy will have a direct adverse impact on this protected characteristic.</p>	<p>Any discriminatory complaints received are fully investigated.</p>	<p>Licensing Officers and Police Officers</p>
<p>Race</p>	<p>In 2021, 94.9 % of Plymouth’s population identified their ethnicity as White, 2.3 % as Asian and 1.1 % as Black (2021 Census)</p> <p>People with a mixed ethnic background comprised 1.8 % of the population. 1 % of the population use a different term to describe their ethnicity (2021 Census)</p> <p>92.7 % of residents speak English as their main language. 2021 Census data shows that after English, Polish, Romanian, Chinese, Portuguese, and Arabic are the most spoken languages in Plymouth (2021 Census).</p>	<p>Currently driver demographic covers many nationalities.</p> <p>It is not anticipated that the amendments to the Policy will have a direct adverse impact on this protected characteristic.</p> <p>The prevention of crime and disorder aspects would include hate crime.</p>	<p>Any discriminatory complaints received are fully investigated.</p>	<p>Licensing Officers and Police Officers</p>

<p>Religion or belief</p>	<p>48.9 % of the Plymouth population stated they had no religion. 42.5 % of the population identified as Christian (2021 Census). Those who identified as Muslim account for 1.3 % of Plymouth’s population while Hindu, Buddhist, Jewish or Sikh combined totalled less than 1 % (2021 Census).</p>	<p>The licensed business and residential communities/demographic cover many nationalities and many religious beliefs and religions. It is not anticipated that the amendments to the Policy will have a direct adverse impact on this protected characteristic. The prevention of crime and disorder aspects would include hate crime.</p>	<p>The policy will be reviewed at least every 5 years as necessary to ensure adequate protection as far as the law allows and to identify any adverse impacts. Any discriminatory complaints received are fully investigated.</p>	<p>Licensing Officers and Police Officers</p>
<p>Sex</p>	<p>51 % of our population are women and 49 % are men (2021 Census).</p>	<p>There are no differential issues for this protected characteristic. Alcohol related harm has an impact on male and females equally. Alcohol related hospital admissions are above average levels for both males and females. Sexual offences on females and lone female safety are related to alcohol availability.</p>	<p>It is not anticipated that the Policy will have a direct adverse impact on this protected characteristic. The Policy is designed to minimise the negative impact of the legal operation of the licensable activities. The Policy has very little ability to control individual behaviour outside of the premises controlled by a licence. The Policy will be reviewed at least every 5 years as necessary to ensure adequate</p>	<p>Licensing Officers and Police Officers</p>

			<p>protection as far as the law allows and to identify any adverse impacts.</p> <p>Any discriminatory complaints received are fully investigated.</p>	
Sexual orientation	<p>88.95 % of residents aged 16 years and over in Plymouth describe their sexual orientation as straight or heterosexual. 2.06 % describe their sexuality as bisexual, 1.97 % of people describe their sexual orientation as gay or lesbian. 0.42 % of residents describe their sexual orientation using a different term (2021 Census).</p>	<p>There are no differential issues for this protected characteristic.</p> <p>It is not anticipated that the amendments to the Policy will have a direct adverse impact on this protected characteristic.</p> <p>The prevention of crime and disorder aspects would include hate crime.</p>	<p>The Policy will be reviewed as necessary to ensure adequate protection as far as the law allows and to identify any adverse impacts.</p> <p>Any discriminatory complaints received are fully investigated.</p>	<p>Licensing Officers and Police Officers</p>

SECTION FOUR: HUMAN RIGHTS IMPLICATIONS

Human Rights	Implications	Mitigation Actions	Timescale and responsible department
	<p>A balance must be obtained between the achievement of the licensing objectives and human rights; these being Article 1, Protocol 1 of the European Convention on Human Rights (peaceful enjoyment of possessions) and Article 10 (Freedom of expression). Belfast City Council v Miss Behavin' Ltd is the leading case and it is clear that any decision to refuse or amend an existing licence</p>	<p>Any discriminatory complaints received are fully investigated.</p>	<p>Licensing Officers and Police Officers</p>

	must be rational, necessary, and proportionate for the promotion of the licensing objectives.		
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SECTION FIVE: OUR EQUALITY OBJECTIVES

Equality objectives	Implications	Mitigation Actions	Timescale and responsible department
Celebrate diversity and ensure that Plymouth is a welcoming city.	There are no differential issues for this protected characteristic. It is not anticipated that the amendments to the Policy will have a direct adverse impact on any of the five listed equality objectives.	Any discriminatory complaints, negative impacts to strategies and policies received are fully investigated.	Licensing Officers and Police Officers.
Pay equality for women, and staff with disabilities in our workforce.			
Supporting our workforce through the implementation of Our People Strategy 2020 – 2024			
Supporting victims of hate crime so they feel confident to report incidents, and working with, and through our partner organisations to achieve positive outcomes.			
Plymouth is a city where people from different backgrounds get along well.			

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**STATEMENT OF LICENSING POLICY 2024 -
2029**
LICENSING ACT 2003



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1.0 PURPOSE AND SCOPE OF POLICY

1.1 Section 5 of the Licensing Act 2003 ('the Act') requires a Licensing Authority to prepare and publish a Statement of Licensing Policy ('the Policy') every 5 years. The Act designates Local Authorities as Licensing Authorities, and the Policy must be published before the Licensing Authority carries out any function in respect of individual applications made under the terms of the Act. Plymouth City Council is the Licensing Authority for this City under the terms of the Act and is responsible for determining all applications for licensable activities, as defined in Section 1 of the Act.

1.2 This is the fifth review of the Licensing Policy and following a public consultation Plymouth City Council resolved to approve the revised Policy on the DD/MM/YY to be effective from the 31st March 2024 for the next 5 years. The Licensing Authority has had regard to updated guidance issued by the Secretary of State in August 2023 under Section 182 of the Act in formulating this Policy.

1.3 This Policy sets out the Licensing Authority's general approach to making licensing decisions, and has four main purposes:

- To provide Members of the Licensing Committee with a decision-making framework. The Policy will be considered at hearings following representations.
- To inform applicants of the parameters within which the Licensing Authority can make licensing decisions and allow them to take this into account when making applications.
- To provide guidance to local residents and businesses of the boundaries within which the Licensing Authority can make licensing decisions. This will assist those parties when making representations in relation to various applications.
- To support the Licensing Authority if it must demonstrate in a court of law how it arrived at its licensing decisions.

1.4 The Policy will be kept under review and the Licensing Authority will, if necessary, after appropriate consultations, make such revisions to it as may be considered appropriate. Any amendments will be incorporated in the Policy after each review.

1.5 The Policy does not seek to explain the various application processes, however guidance and advice on making an application or requesting a review of a licence is available from the Licensing Authority on request. Applicants and members of the public are advised to contact the Licensing Authority in the event of any enquiry for appropriate advice. The Licensing Team also offers chargeable services to assist applicants to get their application right first-time including pre-application advice, application assistance, and check & send.

1.6 The Act is based around the four licensing objectives, which are:

- the prevention of crime & disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

1.7 Applicants are required to have regard to the promotion of the licensing objectives when making applications. Likewise, representations on applications must also relate to the impact on the licensing objectives.

1.8 On receipt of applications, representations may be made by Responsible Authorities or 'Other Persons'. See Appendix 1 for more information about Responsible Authorities.

1.9 The Licensing Authority's discretion is engaged on receipt of a relevant representation. It is obliged to consider the matters of contention or concern and determine the application by doing whatever it considers appropriate to promote the licensing objectives.

I.10 Every application, notice or representation will be considered on its own merits. The Licensing Authority will make decisions in accordance with the Act and with a view to promoting the licensing objectives.

I.11 Any decision taken in discharge of its licensing functions will have regard both to Section 182 guidance and this Licensing Policy.

I.12 References to certain words or phrases used in this policy are defined below:

- Guidance means the statutory guidance issued under Section 182 of the Act
- Premises also includes club premises
- Applications includes applications for premises licences, club premises certificates, provisional statements and reviews

I.13 This Policy and the Statutory Guidance cannot anticipate every possible scenario or set of circumstances that may arise. Therefore, the Licensing Authority may depart from this Policy and/or Statutory Guidance where it has good reason to do so. The Licensing Authority will give reasons for doing so in such circumstances.

I.14 The Licensing Authority is responsible for authorising licensable activities, the issue of personal licenses and other matters set out in the Act within this district. This Policy relates to all those licensable activities identified as falling within the provisions of the Act, namely:

- Retail sale of alcohol
- Supply of alcohol by or on behalf of club members
- Provision of regulated entertainment i.e. entertainment (unless exempted by the Act) which is provided for the public, club members or for consideration with a view to profit
- Supply of late night refreshment, being the supply of hot food and / or hot drink from any premises (subject to any statutory exemption) including food stalls, between 23.00 and 05.00

I.15 The Act makes provision for:

- the licensing of individuals for the retail sale of alcohol (Personal Licence)
- the licensing of premises for the retail sale of alcohol, provision of regulated entertainment or late-night refreshments (Premises Licence)
- the supply of alcohol or the provision of regulated entertainment in certain clubs (Club Premises Certificate)
- the permitting of certain licensable activities on a temporary basis (Temporary Event Notice)
- Provisional Statements

I.16 The types of businesses, premises and events that may require an authorisation include:

- pubs, bars, nightclubs
- private members clubs
- cinemas, theatres
- late-opening cafes, take-aways (serving hot food or drink between 23.00 and 05.00)
- community halls, village halls, schools
- shops, supermarkets, off-licences
- festivals, concerts, fairs

I.17 It is an offence under the Act to carry on licensable activities without the appropriate authorisations, or to allow such activities to be carried on, unless an exemption applies.

- I.18 A minority of consumers may behave badly and unlawfully once away from premises, and it would be unreasonable to expect licence holders to have control over these individual people. Conditions attached to various authorisations will be focussed on matters which are in the control of individual operators.
- I.19 The Licensing Authority acknowledges that licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from licensed premises. However, it is a key aspect of such control and will always be part of a holistic approach to the management of the evening and night-time economy. The Licensing Authority, in carrying out its responsibilities under the Act, recognises:
- the need to protect the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible operators
 - the important role which pubs and other operators play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible operators
 - the need to encourage greater community involvement in licensing decisions and give local residents the opportunity to have their say regarding licensing decisions that may affect them.
- I.20 The Licensing Authority seeks to achieve a balance between the licensed trade, the community and other stakeholders. The Licensing Authority seeks to achieve a mutual co-existence and will work with operators, Responsible Authorities and local communities to identify and resolve issues wherever possible.
- I.21 Other strategies for addressing anti-social behaviour and nuisance include:
- Planning controls
 - Powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly
 - Powers of Police and Local Authorities under the Anti-Social Behaviour legislation
 - Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices
 - The prosecution of any personal licence holder or member of staff selling alcohol to people who are drunk
 - Confiscation of alcohol from adults and children in designated areas and dispersal powers
 - Police powers to close down instantly, for up to 24 hours, any licensed premises or temporary events on grounds of disorder, the likelihood of disorder or excessive noise emanating from the premises
 - The power of the Police, other Responsible Authorities or a local resident or business to seek a review of the licence or certificate
 - Promotion of positive activities

2.0 LOCAL SUMMARY – PLYMOUTH

2.1 Plymouth is one of the largest cities on the south coast, the 15th largest city in England with a population of approximately 262,700, and an economic output of £5.2 billion, providing 108,000 jobs and with a further 100,000 people in its travel to work area (2016). A map showing the Plymouth City Council boundary is attached in Appendix 2.

2.2 Plymouth is ‘Britain’s Ocean City’, its connections to the sea go back to the sailing of the Mayflower in 1620 and now include western Europe’s largest naval base, a thriving commercial and ferry port, a significant fishing industry, and one of the most significant global concentrations of marine research and production.

2.3 The City is located in an area of outstanding beauty, with the Dartmoor National Park to the north, the natural harbour of Plymouth Sound to the south and the rivers Plym and Tamar on either side. Plymouth’s rich history and maritime heritage, combines the advantages of city living with the benefits of having the diverse countryside and coastline of Devon and Cornwall on its doorstep.

2.4 Over the next twenty years the population of Plymouth could rise to between 300,000 - 350,000 due to urban expansion (Mackay Vision 2003).

2.5 Plymouth has a rich combination of heritage and natural beauty in what is a thriving maritime city that attracts millions of visitors. Plymouth aims to be one of Europe’s most vibrant ocean cities where an outstanding quality of life is enjoyed by everyone.

2.6 The Licensing Authority recognises that the provision of entertainment and hospitality is a major contributor to the economy of the City, attracting tourists and visitors, making for a vibrant ocean City, which in turn continues to be a major employer. Responsible businesses have a legitimate expectation of an environment that is attractive and sustainable for their businesses.

2.7 Plymouth has approximately 860 licensed premises, including public houses, restaurants, clubs, community centres and halls in this City, licensed to sell or supply alcohol or where a variety of regulated entertainment is provided on a regular or occasional basis. In addition, there are a variety of retail outlets where alcohol can be purchased as an off sale.

Integrating strategies

Public Health

2.8 Plymouth City Council’s Public Health Team is responsible for a wide range of health issues including alcohol and drug misuse services and other lifestyle campaigns to promote better health for all.

2.9 Alcohol holds a prominent place in our communities, and where enjoyed safely, it can have a positive role in family and social life, as well as being an important factor in our economy. However, this should not disguise the fact that alcohol can also have a profound negative impact on our communities, whether through visible harms such as alcohol fuelled crime, disorder and street drinking; or in relation to more hidden harms such as alcohol dependence, domestic abuse and child safeguarding issues.

2.10 The Public Health Team is a Responsible Authority under the Licensing Act 2003 and works with other organisations in the city that actually provide the services. To view the full list, please visit [Health services | PLYMOUTH.GOV.UK](https://www.plymouth.gov.uk/health-services)

2.11 Tackling alcohol harm is one of the top priorities in Plymouth. Excessive drinking is one of four lifestyle behaviours, along with smoking, inactivity and poor diet, that lead to 54 per cent of deaths in Plymouth. To tackle this Plymouth City Council launched the [Thrive Plymouth | PLYMOUTH.GOV.UK](https://www.plymouth.gov.uk/thrive-plymouth) initiative.

Safer Plymouth

2.12 Plymouth’s Community Safety Partnership, “Safer Plymouth”, brings the Council together with five other statutory agencies, and a number of third sector (or charitable) organisations to

tackle issues locally: [Safer Plymouth | PLYMOUTH.GOV.UK](#) The Safer Plymouth Plan sets out how the partnership works together to reduce crime and increase community safety within the City.

2.13 Safer Plymouth's key areas of focus include:

- Domestic abuse and sexual violence
- Alcohol and drug related harm
- Anti-social behaviour
- Vulnerability and exploitation
- Modern slavery
- Cyber crime / fraud
- Serious violence reduction

The Licensing Authority will work with Safer Plymouth on these key areas.

Community Alcohol Partnership

2.14 The Licensing Authority supports the alcohol industry in demonstrating their commitment to promoting responsible drinking by seeking to ensure that the sector doesn't entice young people to drink.

2.15 A Community Alcohol Partnership (CAP) is a Community Interest Company (CiC) which brings together and supports local partnerships of councils, police, retailers, schools, health providers and community groups to reduce alcohol harm among young people, improve their health and wellbeing and enhance their communities.

2.16 The Licensing Authority, as part of its membership of the Plymouth CAP, actively supports the important work in preventing underage drinking and alcohol harm to young people.

2.17 Further information on CAP initiatives can be found at: [Community Alcohol Partnerships](#)

Event Management and Safety Advisory Groups (ESAG and SAG)

2.18 Plymouth City Council has established an 'Event Safety Advisory Group' (ESAG) and a 'Safety Advisory Group' (SAG) comprising of representatives from the emergency services and other statutory agencies to advise and co-ordinate the planning for public events in the City.

2.19 Determining whether or not to refer an event to an ESAG or SAG requires a risk-based approach and the decision will be influenced by considering a combination of:

- Numbers of people attending (at any one time)
- Levels of risk with the event
- Previous history of similar events
- Events of an unusual nature
- Other events planned at the same time that may increase the impact and risk

Organisers of events meeting the above criteria, whether or not a premises licence or a temporary event notice is needed, are strongly advised to contact the ESAG or SAG in order to receive sufficient advice to ensure the safe running of the event.

2.20 Where a premises licence is needed for an event the Licensing Authority would expect to see a condition that the ESAG or SAG will be notified at least 3 months in advance. The Licensing Authority will also expect confirmation of approval for the event one month before it takes place. This is particularly important where the applicant requires a licence that is not limited to a once only event.

- 2.21 Whilst a premises licence could be granted after 28 days of the application being served, applicants should be aware that if representations are received and a hearing required, a decision may take two months. Applicants should consider this in their planning. Large capacity events will require a greater notice period for ESAG or SAG to consider the event management plan. This allows the police to ensure sufficient cover and the public transport provision to be changed to accommodate the event. At least six months notice will be expected for events of 5,000 people or more.
- 2.22 Further advice and guidance for event organisers can be found in [The Purple Guide](#)

Cumulative Impact Assessment

- 2.23 In preparing this Policy, the Licensing Authority has taken into account its published Cumulative Impact Assessment (CIA) which was reviewed by Full Council on the 30/01/2023.
- 2.24 In summary, and as at the date of this Policy, certain areas of Plymouth have been identified as being subject to high levels of alcohol related crime or public nuisance. Those areas are listed in the CIA found by following this link: [Licensing Policies | PLYMOUTH.GOV.UK](#)
- 2.25 The effect of this assessment is to create a rebuttable presumption that applications for a new premises licence, club premises certificate or the variation of an existing licence or certificate in those areas will normally be refused where:
- Representations have been received and it is anticipated that the application will add to the problems of crime and disorder or/and public nuisance in these areas, and
 - The applicant has been unable to demonstrate that, within their operating schedule, there will be no significant negative cumulative impact on one or more of the Licensing Objectives
- 2.26 The CIA does not change how licensing decisions are made but is a strong statement of intent about the Licensing Authority's approach to relevant applications made in these areas. However, the Licensing Authority will always consider each application on its merits.
- 2.27 The CIA is reviewed three yearly. Therefore, anyone viewing this policy is directed to the link above to find the up to date position with regard to the CIA.

3.0 GENERAL PRINCIPLES

- 3.1 The Licensing Authority recognises that it operates services who act as 'Responsible Authorities' i.e. Environmental Health, Planning, Children's Services and Public Health - all can make representations on any licence application submitted under the terms of the Act. The Licensing Authority will treat these submissions with the same consideration as any other representations having regard to the terms of the Section 182 Statutory Guidance and this Policy.
- 3.2 For the purposes of the Act, Plymouth Safeguarding Partnership is the responsible authority in relation to the protection of children from harm.
- 3.3 The Act requires the Licensing Authority to keep a register containing a record of each premises licence, club premises certificate, personal licence issued and temporary event notice received and in doing this will have regard to the information set out in Schedule 3 of the Act.
- 3.4 To comply with this requirement our register may be accessed online by using the following link [Licensing register | PLYMOUTH.GOV.UK](#). Alternatively the register may be viewed at any Plymouth Library during normal opening hours. It is recommended that any person wishing to view the register in person should contact the Licensing Team in advance to make arrangements.
- 3.5 This Policy is not intended to duplicate existing legislation and other regulatory regimes that place duties on employers and operators e.g. Health & Safety at Work Etc. Act 1974, Environmental Protection Act 1990, Equality Act 2010, Building Regulations and the Regulatory Reform (Fire Safety) Order 2005. The Licensing Authority will therefore only impose conditions which are appropriate in promoting the licensing objectives.
- 3.6 Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required by the local planning authority to provide suitable mitigation before the development has been completed.
- 3.7 Applicants should be aware that the grant of permission under one regime does not remove the need for applicants to gain the necessary consents under the other. It should be remembered that the Licensing Authority can only take into account matters which are relevant to the Licensing Objectives meaning that issues that were raised as part of the planning application may not be relevant if raised under the licensing process. However, if when applying for a licence under the Act, a business indicates that they have also applied for planning permission or that they intend to do so, officers involved in the licensing process will where appropriate, consider discussions with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours, etc.

Culture and Leisure

- 3.8 The Licensing Authority supports promotion of a diverse range of different types and styles of entertainment, dancing and theatre, including traditional and historic plays for the wider cultural benefit of communities. There should always be a careful balance within any particular area, where the provision of regulated entertainment culturally benefits all sections of the community including families and children. Particular care should be given to ensuring that the 'entertainment package' provided in a specific area is positive, and there are not competing styles of entertainment that create an overall negative impact that may contribute to public disorder and levels of disturbance.

- 3.9 In the exercise of its licensing functions the Licensing Authority is aware that it should try to ensure that it does not apply direct or indirect measures that deter live music, dancing and theatre by imposing disproportionate licensing conditions.
- 3.10 In all cases the Licensing Authority will consider the positive and negative impact of regulated entertainment and how it impacts on the licensing objectives in the local community, and where its discretion to impose conditions is raised, only conditions appropriate for the promotion of the licensing objectives will be imposed.
- 3.11 The aim of the licensing process is to regulate licensable activities to promote the licensing objectives and facilitate well-run and managed premises, with licence holders displaying sensitivity to the impact of the premises on local residents.
- 3.12 The Licensing Authority recognises that the provision of entertainment is a major contributor to the economy of the City, attracting tourists and visitors, making for a vibrant City and is a major employer. Commercial occupiers of premises have a legitimate expectation of an environment that is attractive and sustainable for their businesses.

Promotion of Equality

- 3.13 This Policy recognises that the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 3.14 An equalities impact assessment has been completed and the actions of the Licensing Authority will be undertaken with due regard to equality obligations.

Safeguarding

- 3.15 The Council recognises that promoting the welfare of children, young people and adults with care and support needs, and protecting them from harm and exploitation is everyone's responsibility. Applicants, licensees, employees in licensed premises, Responsible Authorities, elected members, other local businesses and communities, everyone who has dealings with children, young people and adults with care and support needs - we all have a duty to report matters of concern to the relevant authorities. In addition, the wider safeguarding context must be considered when prospective and existing applicants submit applications, during the assessment and determination process and the ongoing use of the licence/notice.
- 3.16 Appendix 4 provides information for licence holders and their employees to help them report to the relevant authorities matters of concern that could relate to the safety of children and vulnerable persons, particularly as it relates to child exploitation and trafficking.

4.0 THE LICENSING OBJECTIVES

4.1 The Act sets out four licensing objectives which the Licensing Authority has a duty to promote when carrying out its licensing function, namely:

- Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm

4.2 These objectives are the only factors that can be considered in determining an application and any conditions attached to a licence must be appropriate to promote the licensing objectives. If there are no relevant representations then, for example, an application must be granted and subject only to mandatory conditions and conditions consistent with the applicants operating schedule. Any conditions offered by the applicant within their operating schedule will become conditions on the licence.

Prevention of Crime and Disorder

- The use of toughened glass/ polycarbonate or other plastic / non glass bottles/ receptacles
- Measures to prevent open bottles or other drinks containers being carried from premises
- Restriction of drinks promotions and responsible retailing
- Means of providing free water
- Marketing promotions do not encourage excessive consumption and should be socially responsible
- Measures to prevent binge drinking
- Participation in pub/club watch schemes and attendance at meetings
- Use of appropriate numbers of security personal and stewards ensuring effective controls at all times. Training staff in crime prevention measures
- Search procedures
- Use of CCTV inside and outside premises, ensuring digital systems comply with Home Office minimum requirements.
- Adequate Lighting
- Design premises to minimise the opportunity for crime and disorder
- Quality of supervision and surveillance in premises
- Regular checks by staff of all public areas including toilets
- Assessment of customer profile ensuring effective management of customers both inside premises and in outside smoking / external seating areas
- Anti-discriminatory policies and practice covering e.g. homophobia and racism
- Provision of a means of communication to other venues and the Police

Public Safety:

- Promotion of responsible drinking
- Awareness of drink spiking and participation in anti-drink spiking initiatives
- Zero tolerance drug policies including the maintenance of an incident log; signage; staff training; appropriate use of searching/amnesty boxes to combat drug crime; an awareness of their

venues and possible areas requiring greater monitoring. Businesses are expected to address drug activity by working in partnership with the Police.

- Assessment of the safe capacity for the venue and adequate monitoring and control measures to avoid overcrowding. Special arrangements for large events.
- Regular removal of all glasses and bottles
- Specific precautions for the use of special affects
- Adequate provision for ventilation / temperature control
- Assessment, monitoring and management of noise exposure
- Assessment of crowd dynamics
- Safety of gas and electrical services
- Fire safety and emergency lighting
- Easy accessible free drinking water
- Maximum occupancies
- Participating in safety incentives such as 'Ask Angela Campaign' and Project Nighteye (Targeting violence against women and girls in the night-time economy)

Prevention of Public Nuisance:

- Assessment of the likelihood of nuisance affecting local communities through an assessment of the location of premises, character of the surrounding area and the proximity to residential and other sensitive premises. Nuisance could be from noise, odour or light.
- Latest admission times
- Measures for the limitation of noise emissions from the premises. These may include as appropriate noise limitation devices, sound insulation, whether windows are to be opened, the installation of acoustic lobbies and double glazing
- Measures to deal with queuing, where necessary
- Use and management of outdoor areas
- Measures to deal with dispersal of customers from the premises as necessary, including the employment of door supervisors, use of dedicated cab firms, notices in the premises requesting customers to respect neighbours
- Winding down periods particularly in public houses and night clubs etc.
- Litter collection in vicinity
- Fly posting and promotional material throughout the city
- Disposal of waste, particularly recycling of glass and plastics
- Use and maintenance of plant, including air extraction and ventilation systems
- Consideration of an adequate traffic management plan.
- Noise from deliveries/collections
- Odour and light nuisance
- Traffic Management
- Measures to supervise customers use of beer gardens, smoking and external seating areas

Protection of Children from Harm:

- Limitation of access dependent on nature of activities
- Use of British Board of Film Classification for film exhibition
- Robust proof of age provisions to include prevention of under 18s entering the premises where appropriate and the requirement for anyone looking under 18 to provide proof of age in the form of a photo driving licence, passport or accredited photo ID card bearing the PASS hologram. PASS is the UK's national guarantee scheme for proof-of-age cards

- Requirements for accompanying adults
- Adoption of a proof of age scheme such as Challenge 25
- Adequate staff training on age restricted sales
- Adequate warning signage
- All external areas to be routinely monitored to prevent children from being at risk from harm
- Measures to avoid proxy sales
- Control measures to protect child performers
- Records of refusals (refusals log)
- Suitable design and layout of alcohol display

4.4 It is recognised that the licensing function is only one means of securing the delivery of the licensing objectives and should not therefore be seen as a panacea for solving all problems within the community. The Licensing Authority will therefore continue to work in partnership with its neighbouring authorities, the Police, the Fire Authority, local businesses and local people towards the promotion of the objectives as outlined.

5.0 PROMOTION OF THE LICENSING OBJECTIVES

5.1 The following information aims to clearly state in more detail the Licensing Authority's expectations and standards for promoting the Licensing Objectives.

5.2 In applying this Policy, the Licensing Authority will have regard to its obligations under Section 17 of the Crime and Disorder Act 1998 in that it will do all that it reasonably can to prevent crime and disorder in the Plymouth area.

Best Bar None, Pubwatch, Purple Flag

5.3 The Licensing Authority will support organisations such as Best Bar None, Pubwatch, Purple Flag and the Community Alcohol Partnership which contribute towards providing safer environments for the patrons of premises operating in the evening and night time economy. There are a number of groups covering areas and districts throughout Plymouth that seek to improve the network of real time information that allows them to take proactive action to minimise the effects on crime and disorder and anti-social behaviour. See Appendix 3 for more information on these and other schemes and strategies.

5.4 The Licensing Authority expects licensees to support and be active members of trade-led best practice schemes.

Drug Use and Safer Nightlife

5.5 The use of illegal drugs, particularly those which are commonly referred to as 'recreational drugs', and illegal psychoactive substances, can be harmful and in some cases contribute to fatalities. Factors that have contributed to deaths from drugs include lack of drinking water, excessive drinking of water, an overly hot environment with inadequate ventilation, or a lack of adequate information about drugs. Drugs alter the way people behave, so their distribution and possession is controlled by law.

5.6 The Licensing Authority recognises that drug use in a club/pub environment is not something that is relevant in all licensed premises. However, it is also recognised that special conditions will need to be imposed for certain types of venues to reduce the sale and consumption of drugs and to create a safer environment for those who may have taken them i.e. zero tolerance drug policies including the appropriate use of searching and amnesty boxes.

5.7 It is the responsibility of premises to help keep their customers safe from drink and drug spiking, for example by the provision of signage and information to alert customers to the risk of drink spiking, as well as medical and reporting actions needed as soon as an incident is suspected.

Door Supervisors

5.8 Whenever persons are employed at licensed premises to carry out any security function they must be licensed with the Security Industry Authority (SIA). Competent and professional door supervisors are central to maintaining public safety at licensed premises.

5.9 The Police may consider that certain premises require strict supervision to promote the licensing objective to prevent crime and disorder. In particular, the Licensing Authority will normally support an approach that requires door supervisors to be employed at premises that open beyond midnight, where the responsible authority can demonstrate that it is necessary to prevent crime and disorder.

5.10 Where premises close before midnight, door supervisors may still have to be employed, if the risks associated with the operation warrant such an approach. The number of door supervisors to be employed needs to be determined by a risk assessment carried out by the management of the premises, in most cases, in consultation with the Police Licensing Team. The suggested ratio is a minimum of 2 door supervisors for the first 100 patrons and an additional door supervisor per extra 100 patrons thereafter.

Dispersal Policy

5.11 In cases where there is a likelihood that the local community living near a licensed premises will be disturbed by patrons leaving the premises, or where there is likely to be an impact on crime and disorder the licence holder will be expected to implement a Dispersal Policy. Such a Policy would set out the steps to be taken to minimise the potential for crime and disorder and public nuisance as customers leave the premises.

5.12 Other measures which would assist in promoting the licensing objectives at closing time and which the Licensing Authority would usually expect to see addressed in the applicant's operating schedule are:

- to have a dedicated taxi/private hire vehicle service for the premises to assist in facilitating the quick removal of patrons from the premises and the immediate area
- door staff should be stationed outside the premises to direct patrons to booked taxis and generally encourage customers to leave quietly

Licensing Hours

5.13 The Licensing Authority recognises that fixed and artificially early closing times in certain areas can lead to peaks of disorder and disturbance on the streets when large numbers of people tend to leave licensed premises at the same time. Staggered licensing hours regarding the sale of alcohol may therefore be considered as an important factor in reducing conflict at late night food outlets, taxi ranks and other areas where there have previously been incidents of disorder and disturbance.

5.14 The Licensing Authority will deal with the issue of licensing hours on the individual merits of each application.

5.15 Applications for licensed premises located close to residential areas wishing to open beyond 23.00 will need to ensure that a high standard of control is included within their operating schedule so that, for example, any entertainment provided by a venue must be to entertain the patrons of that venue and not the wider community. Public nuisance (within the meaning envisaged by the Act) must not result from the operation of any venue.

5.16 Between the hours of 23:00 and 08:00 hours any new premises licence, or variation to a licence with hours beyond 23:00, is expected to include a condition of total sound containment within the licensed premises. Any existing licensed premises that cause disturbance between 23:00 and 08:00 hours are expected to take measures to reduce noise levels so as not to cause a nuisance to local residents.

5.17 New premises or variations should be in keeping with the existing trading hours of the area and have closing hours that allow for a staggered release of customers.

5.18 Closing hours will be set to protect local residents near to the venue.

Drinking Up Time and Winding Down Time

5.19 In the interests of reducing crime and disorder and anti-social behaviour, the Licensing Authority consider that it is reasonable that patrons could remain on the premises for a period of time to encourage 'wind down' where music ceases and the tone within the premises substantially changes.

5.20 The Licensing Authority will normally expect the service of alcohol to cease at least 30 minutes before customers are required to leave the premises.

5.21 In the case of nightclubs and other similar dance venues, during the 30 minutes immediately after the service of alcohol ceases, the operator will be expected to have a clearly defined strategy of how they implement a 'winding down' time. This could include:

- slowing down the pace, volume and type of music played
- brighter lighting arrangements

- serving hot food, coffee and other soft drinks
- supervisors engaging positively with groups of patrons.
- This will help in ensuring that patrons do not exit the premises in an agitated state which is likely to increase the likelihood for crime and disorder.

Late Night Refreshment

- 5.22 Late night refreshment can form an integral part of the operation of the premises and help reduce alcohol related crime and disorder and other anti-social behaviour within the vicinity of the premises.
- 5.23 Operators of late night refreshment premises will need to demonstrate clearly that nuisance, crime, disorder or other anti-social behaviour will not result as a consequence of their later operation.

Healthier Food Provision

- 5.24 The Council are keen to promote healthier food provision throughout the city. This is embedded within the Plymouth Plan which sets out the City's ambitions to be a City where the healthy choice is the easy choice. See Appendix 3 for further detail.
- 5.25 All late night refreshment venues should ensure at least 10% of their menu items meet the Public Health England recommendations as follows:
- Main meal less than 600 calories
 - Snack less than 200 calories
 - Breakfast less than 400 calories
- 5.26 Guidance and support is available to help businesses achieve these goals from the Council. Please email the Public Health team at ODPH@plymouth.gov.uk. Also see signposting to further guidance in Appendix 3.

Maximum Occupancies

- 5.27 There are some occasions where it will be appropriate to place a maximum safe occupancy figure as a licence condition to prevent crime and disorder and protect public safety.
- 5.28 It will also be appropriate to limit the occupancy in certain parts of premises. Crowding can arise from inappropriate pedestrian flow patterns caused by poor location of entry and exit doors, dance floors, bars and toilets.
- 5.29 Overcrowding has been found to be linked to lower tolerance, increased frustration and conflict. The consequences of crowding will also depend on other factors such as the levels of drunkenness and the extent of server intervention.
- 5.30 It is for the applicant to consider the maximum safe occupancy for each premises. A maximum occupancy figure may be expected as part of the operating schedule for premises or activities that present a higher risk, for example:
- Where the licensable area involves two or more floors, including mezzanines
 - Where there is an expected capacity of greater than 500
 - Premises which may be described as high volume vertical drinking establishments, including any premises which attracts the fees multiplier
 - Premises which have a licence to trade beyond midnight
 - Where the use of pyrotechnics is likely
 - Any premise within a cumulative impact area

- 5.31 Applicants will wish to consider maximum capacities based on means of escape from fire, toilet facilities, floor space and layout. The lower of these values should be used to set the maximum occupancy.

Availability of Free Water

- 5.32 Although the provision of free tap water is a mandatory condition, the Licensing Authority wants to set out the expectations on how a business should comply with this requirement. Premises should ensure that free tap water is readily available in suitable places and in suitable containers to ensure those wishing to drink responsibly can do so with ease.
- 5.33 Where the mandatory condition applies, licensed premises may be expected to:
- Prominently advertise the availability of free tap water
 - Provide tap water supplied from a mains tap within a kitchen or bar area or via suitable dispenser easily accessible by a customer
 - Provide water that meets the legal requirements for safe drinking water
 - Provide a container free of charge where appropriate
 - Refer to the Plymouth Plan for Plastics [Plymouth's Plan for Plastics | PLYMOUTH.GOV.UK](#) and avoid the use of single use plastics where possible (for example use of reusable polycarbonate plastics) and ensure all plastics are recycled
- 5.34 Where licensees fail to meet these standards, additional conditions may be added to the licence following representations or following a review. It is hoped that licensees will voluntarily meet these requirements.

Designated Premises Supervisors (DPS)

- 5.35 The main purpose of the 'designated premises supervisor' is to ensure that there is always one specified individual who can be readily identified for the premises where a premises licence is in force. The Licensing Authority will normally expect the DPS to have an active role in the day to day operation of the licensed premises, in particular the sale and supply of alcohol. A DPS does not have to be on site all the time, but should authorise individuals to supervise the day to day management of the premises. It is recommended that each premises details their Age Verification Policy in writing, stipulating who has been delegated responsibility for day to day tasks.
- 5.36 A DPS should have sufficient experience and knowledge appropriate for the operation under their control. A DPS should be able to control the activities on site and respond quickly and efficiently to problems.
- 5.37 A DPS should be able to demonstrate that they:
- Have sufficient knowledge and experience appropriate to the premises that they intend to control
 - Are able to respond to problems quickly and to meet with Responsible Authorities, local residents and ensure adequate direct management of an individual premises in a timely manner.
- 5.38 Following a Police objection the Licensing Authority may refuse an application or remove a DPS where:
- A problem premises exists and the DPS is not capable of fulfilling the duties and expectations of a DPS
 - A proposed DPS cannot demonstrate their suitability for the licenced premises

Preventing Glass Injuries

5.39 Glass-related injuries, whether accidental or due to violent crime, can lead to major injury and be life changing. Glasses and bottles can be used as weapons in the drinking environment. By removing glass from premises, injuries may fall. Using alternatives for glass can place extra financial burdens on businesses, and customers may prefer glass containers. Removing glass from premises will be targeted to those that are considered to carry a higher risk for potential crime and disorder or the nature of the activity increases the risk of glass becoming a risk.

5.40 The Licensing Authority expects:

Licensees to consider the need for alternatives to glass as part of their application. It may be appropriate to provide alternatives to glass in the following circumstances:

- Where the nature of the event or activity prevents the frequent collection of glass from the venue
- High volume vertical drinking establishments trading beyond midnight, particularly in any cumulative impact area
- Large outdoor events
- Areas where children or vulnerable adults are likely to be present, e.g. play areas, children's parties
- Where there is a history of glass incidents
- Applicants to have early discussions with Devon and Cornwall Police on suitable alternatives. Alternatives to glass bottles must also be considered as part of the operating schedule or supporting information.
- Licensees to maintain an on-going review of the need for alternatives to glass

5.41 Where a review has been requested due to glass incidents, the application of alternatives to glass containers as conditions are very likely to be applied.

5.42 Applicants should also refer to [Plymouth's Plan for Plastics | PLYMOUTH.GOV.UK](https://plymouth.gov.uk/planning-and-building-control/planning/plymouths-plan-for-plastics) and avoid the use of single use plastics where possible for example using reusable polycarbonate plastics. Where this is not possible due to public safety and crime and disorder then all plastics must be recycled.

Control of Adult Entertainment

5.43 The Policing and Crime Act has amended Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 to incorporate sexual entertainment venues. This means that premises offering lap dancing or any live performance or display of nudity on more than 11 occasions within a 12-month period, in addition to any relevant entertainment, will be required to obtain a separate sex establishment licence, authorising such activity.

5.44 The Sex Establishments Policy has been the subject of a separate public consultation and the adopted Policy will stand alone to this Licensing Policy.

5.45 When an applicant does not give any indication on their premises licence application form as to whether or not they propose to hold any performance of an adult nature, the Licensing Authority will include a condition on the premises licence that 'there will be no adult entertainment at this premises' as being consistent with the operating schedule and necessary to promote the licensing objective of preventing children from harm.

5.46 The Licensing Authority will consider the following factors when assessing applications and operating schedules. The venue's location is an important factor, particularly in sensitive locations, such as:

- near residential accommodation
- near schools, play areas or other areas where children might be present
- family leisure areas

- near historic buildings or tourist locations
 - near places of worship
- 5.47 Specific additional controls are expected as part of the operating schedule or supporting information, such as:
- exclusions of under 18s
 - code of conduct for customers, dancers and performers
 - documentary checks of dancers and performers to include proof of age, identity and (where necessary), permission to work
 - how the entertainment will be advertised and promoted at the premises and more generally, including any external signs or posters
 - minimising external advertising relating to sexual entertainment

Responsible Retailing for Off-Sales

- 5.48 The Licensing Authority wishes to minimise the negative impact on the licensing objectives created by irresponsible consumption of alcohol from retail alcohol sales.
- 5.49 The city has a Public Spaces Protection Order (PSPO) in place to help address problems of drinking alcohol in public [Citywide PSPO.pdf \(plymouth.gov.uk\)](#). Drinking in public spaces can be a major source of anti-social behaviour, often involving young persons, and it can lead to crime or the fear of crime. Local research has established that many people now drink at home before heading out for the evening, which contributes significantly to the problems of drunken and disorderly behaviour. Businesses involved in the city's evening and night time economy are left to deal with this issue.

Off Licence design and layout

- 5.50 All new applications must specify the area to be used for the sale or exposure for sale of alcohol. Displays should conform to the guidance issued by the British Retail Consortium or any other future guidance issued by trade bodies, Government departments or locally adopted standards to provide a 'responsible display' of alcohol.
- 5.51 Applicants should note that a display will not be considered suitable:
- at entrance/exit points of premises
 - where it might interfere with customer flow
 - near check outs, entrances or exits where shop lifting may become easier
 - by using advertising that does not conform to the Portman Group Code or promote irresponsible drinking
 - consisting of significant amounts of high strength alcohol or give undue prominence to high-strength alcohol

Off Licence Location and Trading Restrictions

- 5.52 The Licensing Authority may not approve applications for off sales in the following locations:
- near to alcohol addiction recovery activities or buildings
 - in areas where drinking in public spaces affects any of the licensing objectives
- 5.53 Responsible Authorities and applicants are advised to refer to the Alcohol Harm Mapping tool which has been produced by Plymouth Public Health Team. This tool brings a number of indicators of alcohol related harm and presents them at a neighbourhood level. Using the best available evidence, this provides a picture of how communities in Plymouth are affected by Alcohol. This can be used by any business or responsible authority to assist them in understanding the issues in their local area and to help protect and improve the local

population's health and wellbeing. The latest copy of the Alcohol harm mapping: Plymouth Neighbourhood Profiles can be found at: [Alcohol topic | PLYMOUTH.GOV.UK](#)

Off Licence Additional Conditions / Limitations

5.54 Where applications are granted, additional conditions or limitations, such as trading hours may be appropriate. Additional conditions may include:

- no single cans or bottles of beer or cider will be sold
- no sale of high strength beers or ciders of 6.5% ABV and above.
- minimum of two staff to be on duty at times the premises remain open for sale
- staff must obtain nationally recognised training on responsible alcohol retailing within 2 months of employment
- high strength beers or ciders will be for sale behind a counter accessed only by staff
- all alcoholic drinks will be clearly labelled or marked with the name of the premises
- the premises will operate a proof of age scheme such as Challenge 25
- notices will be clearly displayed near to where alcohol is exposed for sale or sold advising customers that the area is subject to a Public Spaces Protection Order (PSPO)
- restrictions on the design and placement of alcohol for sale

Online Alcohol Sales and Delivery

5.55 Operators of an alcohol delivery service may contact the Licensing Authority for advice. It is expected that:

- all alcohol stored at the premises shall be locked in a secure storage area.
- all staff responsible for making alcohol sales shall be trained in the requirements of the Challenge 25 age verification policy.
- alcohol shall be sold in sealed containers only.
- all deliveries of alcohol shall only be delivered to a premises address with a valid postcode and will only be delivered directly to that property.
- full name and address details, including postcode, must be given when placing an order.
- alcohol can only be delivered to a residential or business address and not to a public place.
- Challenge 25 - if the driver considers the recipient of alcohol appears under 25 recognised photographic identification to be requested before any alcohol is handed over.
- at the time the order is placed a declaration will be required from the person placing the order that that person is over 18 years of age.
- acceptable proof of age shall include identification bearing the customer's photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport. No ID no delivery.
- minimum age of 18 for delivery drivers.
- delivery will be refused if the driver believes the alcohol is being purchased on behalf of another person aged under 18 years.
- customers to be reminded on the website that it is a criminal offence for a person under 18 to purchase or attempt to purchase alcohol and that it is also an offence to purchase alcohol on behalf of a person aged under 18.

Protection of Children from Harm

- 5.56 The protection of children from harm includes the protection from moral, psychological and physical harm, including protecting children from early exposure to strong language and sexual expletives, in the context of film / video exhibitions, or where adult entertainment is provided.
- 5.57 The Licensing Authority recognises the great variety of premises for which licences may be sought. These will include theatres, cinemas, restaurants, pubs, nightclubs, cafes, takeaways, community halls and schools. Where relevant representations are received indicating that a particular application raises concerns under the Protection of Children from Harm licensing objective, access by children to all types of premises will not be limited unless it is considered necessary to do so and addresses the concern raised in representations.
- 5.58 Examples which may give rise to concern in respect of children would include premises:
- where entertainment or services of an adult or sexual nature are provided
 - where there is a strong element of gambling taking place
 - with a known association with drug taking or dealing
 - where there have been convictions or other forms of proof of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking
 - where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises
- 5.59 The Licensing Authority would expect the applicant to suggest restrictions in relation to access for children. If such restrictions are not contained within the operating schedule then, if relevant representations are made, the licensing authority can then consider making such restrictions as are deemed necessary to meet the licensing objectives.
- 5.60 Where the exhibition of film or video is permitted, the authority will expect age restrictions to be complied with in accordance with the British Board of Film Classification's recommendations in respect of the film/video to be exhibited. Only in exceptional cases will the authority consider variations of this general rule.
- 5.61 Conditions may be imposed (if not covered in other legislation) on licences for premises where children will be present at places of regulated entertainment to the effect that sufficient adult staff must be present to control the access and egress of children to ensure their safety and prevent harm. Where children may also be present at an event as entertainers there may be a requirement for there to be a nominated adult responsible for such child performers at such performances.
- 5.62 The options available for limiting access by children would include:
- a limit on the hours when children may be present
 - a limitation or exclusion when certain activities are taking place
 - the requirement to be accompanied by an adult
 - access may be limited to parts of the premises but not the whole
 - an age limitation (for under 18s)
- 5.63 The Licensing Authority will not impose any condition which specifically requires access for children to be provided at any premises. Where no restriction or limitation is imposed the issue of access will remain a matter for the discretion of the individual licence holder or club.
- 5.64 The Licensing Authority will take strong measures to protect children where any licence holder is convicted or other forms of proof of serving alcohol to minors, premises have a known association with drug taking or dealing, gambling takes place on the premises or where entertainment of an adult or sexual nature is commonly provided.

Film Classification

- 5.65 It is mandatory for a condition to be included in all premises licences and club premises certificates authorising the exhibition of films, for the admission of children to films to be restricted in accordance with the recommendations given either by a body designated under Section 4 of the Video Recordings Act 1984 - the British Board of Film Classification is the only body which has been so designated or by the Licensing Authority itself.
- 5.66 The Licensing Authority has a procedure in place for the approval of unclassified films that includes conditions relating to the admission of children and supports any relevant BBFC Guidelines and shall not seek to duplicate their recommendations. The Film Authorisation Procedure can be found on the Council's website. Any changes to these procedures are not considered changes to this Policy and as such any amendment to these procedures will not necessitate a review of the Licensing Policy.

Public Nuisance

- 5.67 The Licensing Authority will assess each application having regard to noise and the likelihood of nuisance being caused to local residents.
- 5.68 The imposition of conditions to a premises licence may only be attached if the conditions are consistent with the operating schedule submitted as part of the application process, or if relevant representations are received.
- 5.69 The Licensing Authority may impose conditions in relation to licensed premises to prevent unnecessary noise, vibration and disturbance to local residents, as it considers appropriate, subject to the submission of relevant representations. This may include:
- sound proofing requirements
 - restrictions on times when music or other licensable activities take place
 - the use of sound limiting devices properly set to prevent noise breakout and disturbance.
- 5.70 The Licensing Authority may impose conditions relating to the limitation of the hours of open-air entertainment, and the use of outdoor areas, gardens and patios to control and prevent unnecessary noise and disturbance.

The Licensing Authority will have the following approach to certain regulated entertainment:

- the provision of regulated entertainment outdoors after 23:00 and before 08:00 will not generally be permitted.
 - between the hours of 23:00 and 08:00 hours any new premises licence, or variation to a licence with licenced hours beyond 23:00, is expected to include a condition of total sound containment within the licensed premises.
 - any existing licensed premises that cause disturbance between 23:00 and 08:00 hours are expected to take measures to reduce noise levels so as not to cause a nuisance to local residents.
- 5.71 The Licensing Authority may impose conditions requiring the display of signs both inside and outside of the premises reminding customers to leave the premises quietly and to respect the rights of nearby residents.

No Smoking Legislation

- 5.72 The Health Act 2006 prohibits smoking in public places and workplaces. This includes all licensed premises both permanent and temporary structures such as tents and marquees.

- 5.73 Smoke free legislation has created problems for some licensed premises in respect to noise disturbance and nuisance. It is the responsibility of the premises licence holder to ensure by proper management and control that, at all reasonable times, they minimise the effects on the surrounding residential property.
- 5.74 Many premises do not have a beer garden or similar area, which results in their customers smoking on the public pavement outside the front of the premises. The Licensing Authority acknowledge the potential problems in respect to crime and disorder that can arise as a consequence and would encourage the operator to contact the Police Licensing team in order to seek advice on how best to manage the risk of crime and disorder.
- 5.75 Where representations are submitted regarding the use of the outside of the premises e.g. beer garden, public pavement or thoroughfare, the Licensing Authority will give due consideration to imposing reasonable conditions that are designed to reduce noise nuisance and anti-social behaviour to local residents.
- 5.76 The same considerations apply to patrons vaping outside of premises.

Fly posting and promotional material

- 5.76 Plymouth often faces the widespread problem of illegal and nuisance fly posting and littering from promotional material used to promote bands and events in the city. This can have an impact on the prevention of public nuisance objective and the prevention of crime and disorder objective within the Licensing Act 2003.
- 5.77 Existing legislation seeks to address this problem however, it often proves ineffective in preventing this type of nuisance advertising. Some licence holders leave the advertising of regulated entertainment to events promoters and then use this to argue that they are not responsible for any illegal fly posting that occurs.
- 5.78 The Licensing Authority expects responsible licence holders to ensure the licensed objectives are properly promoted when advertising regulated entertainment on their premises. For this reason, licence holders should outline in their operating schedules the steps to be taken ensure advertising of licensable activities does not cause nuisance or give risk to crime and disorder.
- 5.79 Premises Licence Holders are encouraged to have explicit agreements or contracts with named individuals or companies used to promote events to address the issue of fly posting and littering from promotional material. They should also maintain a register of individuals and companies contracted with, for inspection by any Responsible Authority or Authorised Officer on request. Where appropriate and where consistent with the applicant's operating schedule the Licensing Authority will impose conditions to this effect when its discretion to do so has been engaged.

Fire Safety

- 5.80 The Licensing Authority is committed to ensuring public safety in licensed premises by working in close partnership with the Fire Authority, subject to the provisions of the Regulatory Reform (Fire Safety) Order 2005. The Licensing Authority will consider relevant representations from the Fire Authority concerning the implications relating to fire safety for each individual application/variation for, a premises licence and seek to protect the safety of all persons at all licensed premises by ensuring that the requirements of the Fire Authority are met.
- 5.81 In order to avoid the necessity for representations to be made, applicants will be advised where appropriate to consult the Fire Authority and ensure that they have sight of such documentation as may be required in order to allow a reasonable assessment to be made.
- 5.82 The Licensing Authority will consider applying capacity limits where there are valid reasons and where it has been demonstrated that they will promote any of the licensing objectives.

Terrorism (Protection of Premises) Bill

- 5.83 The Terrorism (Protection of Premises) Bill (sometimes referred to as ‘Protect Duty’ or ‘Martyn’s Law’) is expected to become law in 2024/25. The aim of this new legislation is to improve safety and security at public venues, to help ensure that people are prepared, ready to respond and know what to do in the event of a terrorist attack.
- 5.84 When it becomes law, there will be a legal requirement on those responsible for certain venues to increase their preparedness for and protection from a terrorist attack by requiring them to take proportionate steps, depending on the size and nature of the activities that take place.
- 5.85 In the meantime, although terrorist attacks are rare, the threat from terrorism is real and increasingly unpredictable, and therefore operators should consider the threat and implement appropriate and proportionate mitigation measures to ensure public safety.
- 5.86 Consequently, the Licensing Authority would expect large capacity venues and organisers of large events to consider the following measures:
- a requirement to engage with freely available counter-terrorism advice and training
 - a requirement to conduct vulnerability assessments of their operating places and spaces
 - a requirement to mitigate the risks created by any vulnerabilities identified
 - a requirement to have a counter-terrorism plan
 - ensuring appropriate access for emergency services and vehicles
 - establish good communication networks with the police and signing up for local incident alerts
 - ensuring the presence of sufficient trained first aiders on the premises and appropriate first aid kits

6.0 OPERATING SCHEDULE

- 6.1 Where an application is approved, the Licensing Authority may apply and interpret conditions that are consistent with the operating schedule, which are appropriate and proportionate for the promotion of the licensing objectives. Clear and enforceable conditions replicated from proposals in the operating schedule, along with relevant mandatory conditions, will form part of the licence.
- 6.2 Applicants are encouraged to make themselves aware of any relevant planning and transportation policies, tourism and cultural strategies or local crime prevention strategies and to have taken these into account, where appropriate, when formulating their Operating Schedule. To assist some policies and guidance sources are set out in Appendix 3.
- 6.3 Applicants that carry out inadequate research or fail to consider their business operation often submit very poor quality schedules - this can prejudice their application and cause unnecessary work for Responsible Authorities who have to negotiate and discuss in detail the business operation in order to get a better understanding of the business and propose voluntary conditions.
- 6.4 The Licensing Authority expects the content of an operating schedule to address the following points:
- applicants are expected to demonstrate that they understand:
 - the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate
 - any risk posed to the local area by the applicants' proposed licensable activities
 - any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks
 - regulated entertainment that incorporates any of the following activities for the entertainment or attraction of the public must be properly defined and explained in the operating schedule of the application:
 - Striptease, lap dancing or any similar performance
 - The installation of strobe or laser equipment
 - The use of special effects such as pyrotechnics or the introduction to any area occupied by the public of naked flame or any material, vapour, liquid, foam or novelty foodstuff
 - The use of any temporary structure or staged area
 - operating schedule must be specific to the individual application
 - operating schedule must be sufficiently comprehensive to enable the Licensing Authority and other Responsible Authorities to consider the application fully
 - where appropriate, specify the maximum intended occupancy including staff, performers and members of the public and how these numbers are controlled
 - address the Council's expectations contained within this Licensing Policy
 - where an application is submitted within a CIA area, applicants should demonstrate an understanding of how the policy impacts on their application, any measure they will take to mitigate the impact and why they consider the application should be an exception to the policy
 - where an application for the grant of a new application or variation of a premises licence is located in a residential area, it should set out how the potential effects of public nuisance and noise disturbance, for example, will be minimised and controlled

- 6.5 Responsible Authorities will not be expected to provide a form of consultancy in modifying Operating Schedules. Representations may be used to seek clarification on how the applicant intends to manage their operation.
- 6.6 Prior to submitting an application, the Licensing Authority recommends that an applicant seek expert advice and guidance from all Responsible Authorities on matters relating to the licensing objectives as this will assist in completing their operating schedule. This will ensure the application is processed efficiently.
- 6.7 Applicants for new licences are strongly advised to liaise with the relevant Responsible Authorities in relation to adopting measures to avoid crime and disorder problems, improve public safety, limit public nuisance and protect children from harm in the premises to be licensed.
- 6.8 Potential wording of the operating schedule can be based on separate guidance issued by the Licensing Authority and Responsible Authorities.
- 6.9 The applicant may wish to submit supporting information to be read alongside the operating schedule; this information will not normally form part of the voluntary conditions offered through the operating schedule, but it is intended to advise Responsible Authorities about how the business will be managed and operated. It may be necessary to include some aspects of the supporting information into conditions where representations are received.

7.0 LICENSING CONDITIONS

7.1 The Licensing Authority cannot not impose conditions (other than the mandatory conditions and those consistent with the applicants operating schedule) unless its discretion has been engaged following the receipt of relevant representations and upon it being satisfied that is appropriate to impose conditions to promote the licensing objectives.

7.2 Where licensing conditions are imposed following relevant representations, they shall be appropriate to promote one or more of the licensing objectives and proportionate having regard to the size, style, characteristics and activities undertaken. Any condition imposed must also be practical, achievable and enforceable.

7.3 The Licensing Authority recommends that Responsible Authorities draw up their own pool of conditions to assist licence holders and applicants in developing an operating schedule that is suitable and sufficient for their licensed premises. The Licensing Authority's pool of conditions can be found here: [DOCUMENT TITLE \(plymouth.gov.uk\)](https://www.plymouth.gov.uk)

7.4 Where appropriate, conditions will aim to deter and prevent crime and disorder, improve public safety; prevent public nuisance; and protect children from harm.

7.5 All representations will be considered during the decision making process unless they are not considered to be relevant to the licensing objectives, or are frivolous, vexatious or repetitious.

7.6 When imposing conditions, the Licensing Authority shall consider the direct impact the existing or proposed licensable activities will have on members of the public living, working or engaged in normal activity in the vicinity of the premises. In addition, the Licensing Authority shall focus on matters within the control of licensed operators on or outside the premises. Whilst "vicinity" has not been defined in the Act this Licensing Authority shall take a "common sense" approach and shall treat each application on its own merit.

7.7 The initial application and subsequent approval is often closely linked to the individual nature of the activities intended for the business. For example, premises where the initial application for music is intended to be low key can be transferred and turned into a venue with very loud bands regularly throughout the week, leading to public nuisance. Depending on the nature of the application if representations are received then additional conditions may be placed on the licences by Committee that prevent the activities initially proposed by the applicant from altering to a degree that may affect any of the licensing objectives.

7.8 The Licensing Authority will not impose conditions which replicate matters that constitute the offences set out in Part 7 of the Licensing Act e.g. unauthorised licensable activities, allowing disorderly conduct, sale of alcohol to any person who is drunk or is underage. Nevertheless, the Licensing Authority will take into account any breaches of conditions and offences under the Licensing Act when considering the imposition of conditions in reviews and the variation of licences.

8.0 LICENSING APPLICATIONS

- 8.1 Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work that relates to some licensing act applications.
- 8.2 When an application is received the Licensing Authority will consider each:
- on its own merits
 - in accordance with the Act, any subsequent amendments and supporting Regulations
 - with regard to guidance issued under Section 182 of the Act and this Policy
- 8.3 In particular it is important to note that “opening hours”, the times when premises are open to the public, are not necessarily identical to the hours during which licensable activities may take place.
- 8.4 The Licensing Authority will expect that an applicant will indicate whether or not the area to be licensed includes or comprises any part of the public highway. It is the Policy of the Council to support the provision of street cafés that make a positive contribution to the street scene and to the vitality of shopping and tourist areas bringing life, colour and interest on to the street.
- 8.5 The Highways Team at the Council may grant permission for an applicant to use the public highway outside premises for placing tables and chairs but the use of such an area will be subject to separate application, requirements and conditions under provisions of the Highways Act 1980. Further details can be found at [Tables and chairs permit on a public road or street | PLYMOUTH.GOV.UK](https://www.plymouth.gov.uk/tables-and-chairs-permit-on-a-public-road-or-street)

New Applications and Full Variations

- 8.6 All licensing applications for the grant or variation of a premises licence must be served on the Licensing Authority and on the Responsible Authorities within the City of Plymouth. The contact details (current at the time of writing this Policy) for the Responsible Authorities are detailed in Appendix I. However, applicants are advised to check the specific details in the Home Office S.182 Guidance and the Act to ensure they have complied with the requirements under the Act.
- 8.7 Where an application for the grant of a premises licence or club premises certificate, variation of the same or a provisional statement, or any part of it, is submitted in writing, it is the responsibility of the applicant to ensure that a copy of the application has been sent to all Responsible Authorities as stipulated in the Act. Where such applications have been submitted electronically copies of the application will be forwarded to the Responsible Authorities by the Licensing Authority.
- 8.8 Full variations should not be used to ‘vary substantially the premises to which the licence relates’.

Minor Variations

- 8.9 An application can be made for a minor variation to premises licences and club premises certificates where the change is considered to have ‘no adverse impact’ on the promotion of any of the four licensing objectives.
- 8.10 Minor variations can be used to:
- make minor changes to the structure or layout of a premises
 - make small adjustments to the licensing hours
 - remove out of date, irrelevant or unenforceable conditions
 - add or remove certain licensable activities

- add volunteered conditions to a premises licence or club premises certificate
- 8.11 Examples of where the minor variation process **cannot** be used include:
- extending the period for which the licence or certificate has effect
 - specifying, in a premises licence, an individual as the premises supervisor
 - adding the sale by retail or supply of alcohol as an activity authorised by a licence or certificate
 - authorising the sale by retail or supply of alcohol at any time between 23.00 and 07.00
 - authorising an increase in the amount of time on any day during which alcohol may be sold by retail or supplied
 - varying a licence for a community premises so as to apply the condition that every supply of alcohol under that licence must be made or authorised by the management committee.
 - substantially varying the premises to which the licence or club premises certificate relates
- 8.12 Under a minor variation the applicant must send the application to the Licensing Authority and must advertise the application on a white notice for a period of ten working days, at the premises, beginning with the day after the application was given to the Authority. The applicant is not required to advertise the variation in a local newspaper or send a copy to Responsible Authorities.
- 8.13 On receipt of a minor variation application, the Licensing Authority will consider the application and consult whichever of the Responsible Authorities it considers appropriate. In deciding on the application, the Licensing Authority will consider any relevant representations received within the statutory time limit (ten working days from the day after the application was received by the licensing authority). The Licensing Authority will either grant the application or refuse it where it considers that the proposed application could impact adversely on any of the four licensing objectives.
- 8.14 There is no right to a hearing under the minor variation process.
- 8.15 If the Licensing Authority fails to determine the application within 15 working days, the application will be treated as being refused and the fee returned. However, in such cases the Licensing Authority and applicant may agree instead that the undetermined application should be treated as a new application and that the fee originally submitted will be treated as a fee for the new application thus avoiding the need for a new application to be submitted.

Review of Premises Licence

- 8.16 A Responsible Authority or other persons may at any time call for a review of a premises licence or club premises certificate, where problems associated with the licensing objectives are occurring after the grant or variation of a premises licence or club premises certificate. Examples may be where there has been a breach of licensing conditions, failed test purchases or activities undermine the licensing objectives. The conduct of review hearings is set out in the relevant statutory instruments.
- 8.17 Where the request for review originates from other persons, the Licensing Authority may reject the application if it is considered frivolous, vexatious or repetitious.
- 8.18 In all cases, an application for review must relate to a particular premises in respect of which there is a premises licence or club premises certificate and must be relevant to one or more of the four licensing objectives.
- 8.19 Where a review is brought the Licensing Authority may take any of the following actions:
- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), e.g. by reducing the hours of opening or by requiring door supervisors at particular times

- exclude a licensable activity from the scope of the licence, e.g. to exclude the performance of live music or playing of recorded music
 - remove the designated premises supervisor, e.g. because they consider that the problems are the result of poor management
 - suspend the licence for a period not exceeding three months
 - revoke the licence
 - take no action
- 8.20 In deciding which of these powers to invoke, this Licensing Authority will seek to establish the cause of the concerns which the application and any relevant representations identify. The remedial action taken should be directed at these causes and should always be an appropriate and proportionate response. For example, the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.
- 8.21 Equally, it may be that poor management is a direct reflection of poor company practice or Policy and the removal of the designated premises supervisor may be an inadequate response to the problems presented.
- 8.22 The Licensing Authority will consider each case on its own merits having regard to the relevant law and guidance.
- 8.23 Where reviews are sought by residents or Responsible Authorities in relation to public nuisance alleged to arise from a licensed premises, the nature of the premises, its track record and length of time it has been providing the activities complained of will all be taken into account in determining the application.

Relevant, Vexatious and Frivolous Representations

- 8.24 Officer decisions as to whether representations are relevant, frivolous or vexatious will be made objectively having regard to all the available facts and not on the basis of any political judgment:
- a frivolous representation can be categorised by a lack of seriousness or concerning very minor issues which would not warrant any steps being taken
 - a vexatious representation arises where it is intended to cause aggravation or annoyance to another person or business without any justification (e.g. disputes between rival businesses).
 - a representation would only be relevant if it relates to the likely effect on at least one of the licensing objectives, relates to the application under consideration and is received within the relevant timescales.
- 8.25 Where representations are rejected, the Responsible Authority or other persons making that representation will be given a written reason as to why this is the case. Anyone who wishes the decision to be reconsidered should lodge a complaint with Plymouth City Council, [Feedback and complaints | PLYMOUTH.GOV.UK](https://www.plymouth.gov.uk/feedback-complaints)
- 8.26 In borderline cases, the benefit of the doubt about any aspect of a representation will be given to the person making that representation.

Use of petitions

- 8.27 Standard letters of support or objection, and petitions can be submitted in response to an application or review.
- 8.28 Standard letters, with only the signature and address of the sender, will be considered as a petition as they contain no additional individual comment. Standard letters that have additional

detail regarding the representation will be considered as a separate representation and will be published separately as part of any Committee report.

- 8.29 Petitions will be published as part of the Committee report, and reference will be made to the number of names supporting the petition. Notification about any Committee hearing will not be sent to names received via a petition.

Temporary Event Notices (TEN's)

- 8.30 A TEN is a notification given by an individual to the Licensing Authority where it is proposed to use premises for one or more licensable activities during a period not exceeding 168 hours and can be used to authorise relatively small-scale ad hoc events held in or on any premises involving no more than 499 people at any one time.
- 8.31 A TEN is typically used to:
- authorise a licensable activity at a premises not currently licensed e.g. selling alcohol at a fete
 - temporarily extend the hours for providing a licensed activity at an existing licensed premises for a specific event
 - provide for licensable activities not authorised by the existing licence.
- 8.32 The organiser must give the Licensing Authority notice of the proposed event and give a copy of the notice to the Police and Environmental Health.
- 8.33 Where an application or any part of it, is submitted in writing, it is the responsibility of the applicant to ensure that a copy of the application has been sent to the Police as stipulated in the Act. Where an application has been submitted electronically copies of the application will be forwarded to the Responsible Authorities by the Police.
- 8.34 The organiser must normally give the Licensing Authority a minimum of 10 clear working days' notice. This does NOT include the date of submission, the date of the event, or weekends or bank holidays. In a significant number of cases this time period does not allow sufficient time for the organiser to liaise with the Police or Environmental Health and other relevant bodies to ensure that the event passes off safely with minimum disturbance to local residents. Therefore, the Licensing Authority will normally expect that the application be submitted no earlier than 28 days before the planned event. The giving of 28 days' notice allows for reasonable discussions to take place with the Police and Environmental Health.
- 8.35 The Licensing Authority will consider any breach of previous voluntary agreements to be an important matter when considering an objection to a TEN application.
- 8.36 A late TEN may be served between nine and five working days before a proposed event commences. If a late TEN is served with fewer than 5 working days' notice it is deemed invalid and will be rejected. The Licensing Authority has no discretion to accept TENs outside the permitted statutory deadlines. If an objection is received to a late TEN there is no provision for any modification, hearing or adding existing conditions and a Counter Notice will be issued preventing the event from going ahead. There is no right of appeal in respect of late TENs following an objection by the Police or Environmental Health.
- 8.37 The Licensing Authority will actively encourage the organiser to notify other relevant agencies such as the Fire Authority (crowd safety and management) in order to obtain expert advice on how best to minimise the risk of injury and public nuisance.
- 8.38 In addition, whilst under the Act applicants do not have to notify the Planning Authority in respect of a temporary event, they are encouraged to do so to ensure that any relevant planning consent is in place.

Provisional Statements

- 8.39 Where premises are being or are about to be constructed, extended or otherwise altered so that they can be used for licensable activities, those involved with the project or with an interest in it may request some assurance that a premises licence covering the desired licensable activities would be granted for the premises when the building work is completed.
- 8.40 Any person falling within Section 16 of the 2003 Act can apply for a premises licence before new premises are constructed, extended or changed. In those cases, the Licensing Authority would include a date when the licence would come into effect. However, where the information described below is not available an application for a provisional statement would be required instead:
- clear plans of the proposed structure
 - the activities to take place
 - the time at which such activities will take place
 - the proposed hours of opening
 - where the applicant wishes the licence to have effect for a limited period, that period
 - the steps to be taken to promote the licensing objectives
 - where the sale of alcohol is involved, whether supplies are proposed to be for consumption on or off the premises (or both) and the name of the designated premises supervisor the applicant wishes to specify
- 8.41 The 2003 Act provides for a person who has an interest in the premises to apply for a “provisional statement”. This will not be time limited, but the longer the delay before an application for a premises licence is made, the more likely it is that there will be material changes and that the licensing authority will accept representations when the application for the premises licence is finally made.
- 8.42 Applications for a provisional statement are made in a similar manner to those for new and variation applications as set out above.

9.0 ENFORCEMENT

- 9.1 The Licensing Authority has established protocols with the Police and other enforcing authorities. These protocols provide for the targeting of 'problem' and 'high-risk' premises with a proportionate, but vigorous and intelligence led enforcement approach. Premises which are shown to be well managed and maintained a 'lighter' approach is applied.
- 9.2 The Licensing Authority has adopted an [Enforcement Policy](#) that is available on the Council's web site which adopts the good principles of consistency, transparency, proportionality and accountability set out in the Regulators Compliance Code.
- 9.3 The Licensing Authority conducts its inspection and enforcement procedures in accordance with the Enforcement Policy and better regulation to ensure that it is effective, well targeted and contributes to economic progress.
- 9.4 The Council will generally use the least intrusive regulatory tool to achieve compliance and will ensure that any regulatory action is proportionate to the importance of the matters to which it relates.

10.0 ADMINISTRATION, EXERCISE AND DELEGATION OF FUNCTIONS

Licensing Authority

10.1 The licensing function under the Act must be carried out by the Licensing Committee (Miscellaneous) other than for certain exemptions under the Act such as the setting of Policy. This committee may further delegate its functions down to a Sub-Committee or officers.

10.2 Where the decision or function is purely administrative in nature, in the interests of efficiency and effectiveness such decision making will for the most part be carried out by officers.

10.3 Table I, below, sets out how the Licensing Authority intends its functions to be carried out.

Table I

Matter to be dealt with	Sub Committee	Officers
Application for personal licence	If a police or immigration enforcement objection	If no objection made
Application for personal licence with unspent convictions	If a police objection	If no objection made
Application for premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application for provisional statement	If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor	If a police objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a police objection	All other cases
Application for interim authorities	If a police objection	All other cases
Application to review premises licence/ club premises certificate	All cases	
Decision on whether a complaint is irrelevant, frivolous or vexatious		All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases	
Determination of an objection to a temporary event notice	All cases unless all parties agree to conditions	Where all parties agree to the imposition of conditions
Decision whether to consult other Responsible Authorities on minor variation applications		All cases

Matter to be dealt with	Sub Committee	Officers
Determination of application to vary premises licence at community premises to include alternative licence condition	If a police objection	All other cases
Determination of minor variation application		All cases
Decision to suspend a premises licence / club premises certificate for failure to pay for the annual fee / late night levy		All cases

APPENDIX I - RESPONSIBLE AUTHORITIES LIST

Applicants are required to submit the original licensing application to the Licensing Authority and send a full copy of the application (including plans) to each of the following Responsible Authorities.

Where an application, or any part of it, is submitted in writing it is the responsibility of the applicant to ensure that a full copy of the application (including plans) has been sent to each of the following Responsible Authorities numbered 1 to 9.

Where an application (for a premises licence, club premises certificate (or variations to the same) or provisional statements or Temporary Event Notice) has been submitted electronically, copies of the application will be forwarded to the relevant Responsible Authorities by the Licensing Authority.

Licensing Authority

Licensing Team, Public Protection Service, Plymouth City Council, Ballard House,
West Hoe Road, Plymouth, PL1 3BJ

Tel: 01752 304141

Email: licensing@plymouth.gov.uk

Responsible Authorities

1. Child Protection

Safeguarding Team, Children Young People and Families, Plymouth City Council, Midland House,
Notte Street, Plymouth, PL1 2EJ

Tel: 01752 306340

Email: PSCP@plymouth.gov.uk or Gateway@plymouth.gov.uk

2. Devon and Cornwall Police

Licensing Department, Launceston Police Station, Moorland Road, Launceston, PL15 7HY

Tel: 01566 770500

Email: licensing.team@devonandcornwall.pnn.police.uk

3. Devon and Somerset Fire and Rescue Service

West Devon Headquarters, Glen Road, Plympton, Plymouth, PL7 3XT

Tel: 01752 333600

Email: firesafetyhelpdesk@dsfire.gov.uk

4. Environmental Health

Public Protection Service, Plymouth City Council, Ballard House, West Hoe Road, Plymouth, PL1 3BJ

Tel: 01752 304147

Email: public.protection@plymouth.gov.uk

5. Heart of the South West Trading Standards Service

County Hall, Topsham Road, Exeter, Devon EX2 4QD

Tel: 01752 304147

E-mail: tradingstandards@devon.gov.uk

6. Health and Safety Executive

North Quay House, Sutton Harbour, Plymouth, PL4 0RA

[Ask about health and safety - Contact HSE](#)

7. Planning Authority

Planning Authority, Development Consents Manager, Plymouth City Council, Level 2 West Wing, Ballard House, Plymouth, PL1 3BJ

Tel: 01752 304471

E-mail: Planningconsents@plymouth.gov.uk

8. Public Health Team

Office of the Director of Public Health, Plymouth City Council, Ballard House, West Hoe Road, Plymouth, PL1 3BJ

Tel: 01752 398606

Email: odphlicensingapplications@plymouth.gov.uk

9. Home Office (Immigration Enforcement)

Alcohol Licensing Team, Lunar House, 40 Wellesley Road, Croydon, CR9 2BY

Email: Alcohol@homeoffice.gov.uk

Home Office Immigration Enforcement is not a responsible authority in relation to club premises certificates

In relation to vessels, Responsible Authorities also include navigation authorities within the meaning of S. 221(1) of the Water Resources Act 1991 that have statutory functions in relation to the waters

where the vessel is usually moored or berthed or any waters where it is proposed to be navigated when being used for licensable activities

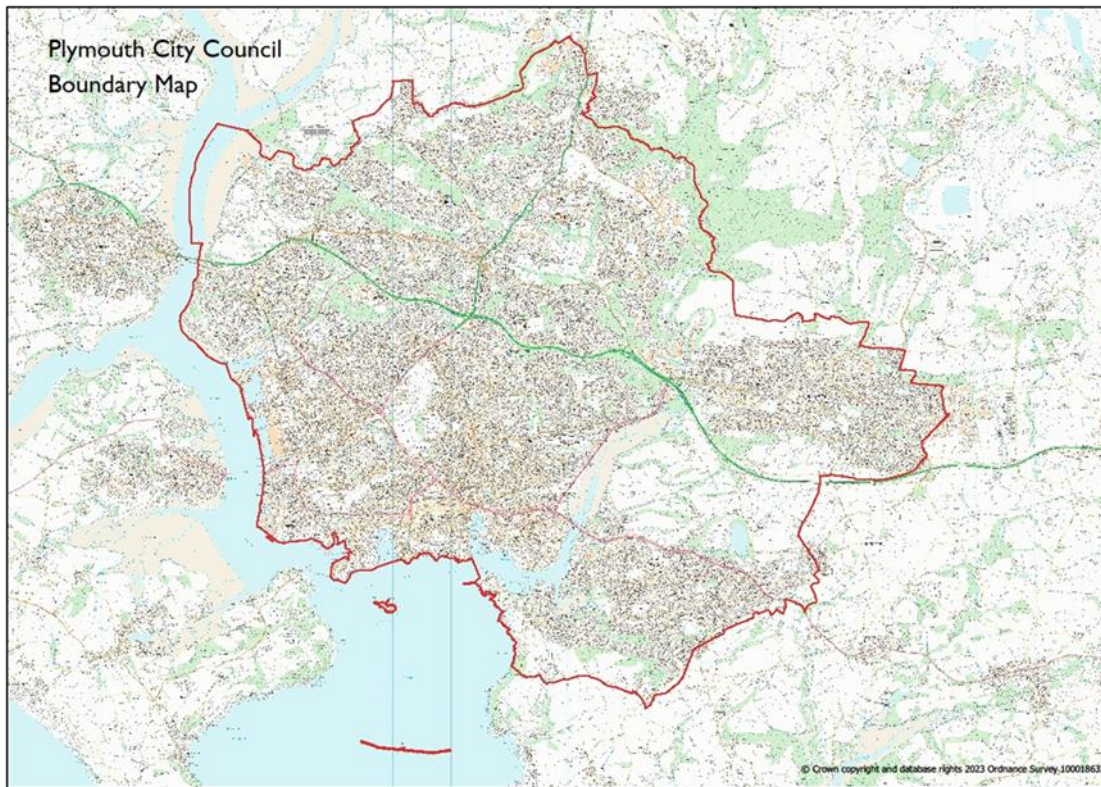
Maritime & Coastguard Agency

Plymouth Marine Office, Suite 5, Endeavour House, Oceansgate, Vivid Approach, Plymouth. PL1 4RW

Tel: 020 390 85245

Email: mcaplymouthadmin@mcga.gov.uk

APPENDIX 2 – PLYMOUTH CITY COUNCIL BOUNDARY



APPENDIX 3 - OTHER POLICIES, LEGISLATION, CASE-LAW AND GUIDANCE SOURCES

There are several local and national policies, strategies, responsibilities, and guidance documents which should be taken into account in order to complement the authority's Licensing Policy. More information about each of these can be found via the links below.

Plymouth City Council Strategies and Policies

Safer Plymouth: [Safer Plymouth | PLYMOUTH.GOV.UK](#)

The Plymouth Plan: www.plymouth.gov.uk/planningandbuildingcontrol/plymouthplan

Local Transport Plan: [Local Transport Plan | PLYMOUTH.GOV.UK](#)

Local Development Framework Strategy: [What is a Local Development Framework? | PLYMOUTH.GOV.UK](#)

Local Economic Strategy: [Strategic growth | PLYMOUTH.GOV.UK](#)

Strategic Alcohol Plan for Plymouth: www.plymouth.gov.uk/publichealth/alcohol

Cumulative Impact Assessment: [Licensing Policies | PLYMOUTH.GOV.UK](#)

Related Strategies and Policies and useful references

British Beer and Pub Association: [Home | BBPA \(beerandpub.com\)](#)

Home Office Alcohol licensing guidance: [Alcohol licensing guidance - GOV.UK \(www.gov.uk\)](#)

National and local Pubwatch schemes: [Welcome to National Pubwatch, a voluntary organisation](#)

[Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks](#)

[Purple Flag Award | PLYMOUTH.GOV.UK](#)

[Home - Best Bar None](#)

UK Hospitality: [About us - UKHospitality](#)

Association of Town Centre Managers (ACTM and Purple Flag): [High Streets | ATCM | UK and Ireland](#)

British Board of Film Classification (BBFC): [British Board of Film Classification \(BBFC\) | BBFC](#)

BII: <http://www.bii.org/>

British Retail Consortium (BRC): [British Retail Consortium \(brc.org.uk\)](#)

UK Cinema Association Limited(UKCA): [UK Cinema Association \(formerly Cinema Exhibitors' Association\) \(cinemauk.org.uk\)](#)

Department for Culture, Media and Sport (see links to the Licensing Act 2003, Explanatory Notes, Guidance and Regulations): www.culture.gov.uk

Equity

[We are the performing arts and entertainment trade union | Equity](#)

Outdoor Arts UK: [Welcome to OutdoorArtsUK](#)

Institute of Licensing (IOL): [I Institute of Licensing](#)

Justices Clerks' Society Good Practice Guide, Licensing: [Justices' Clerks' Society | JC-Society.com](#)

Federation of Licensed Victuallers Associations (LVAs): [Home - FLVA](#)

National Association of Local Government Arts Officers: [National Association of Local Government Arts Officers - CultureHive](#)

Healthy Eating:

[Eat well - NHS \(www.nhs.uk\)](#)

[takeawaystoolkit.pdf \(london.gov.uk\)](#)

[Encouraging healthier 'out of home' food provision - GOV.UK \(www.gov.uk\)](#)

[Strategies for Encouraging Healthier Out of Home Food Provision A toolkit for local councils \(publishing.service.gov.uk\)](#)

APPENDIX 4 - SAFEGUARDING OF CHILDREN, YOUNG PEOPLE AND ADULTS WITH CARE AND SUPPORT NEEDS

Introduction

Set out below is information for licence holders to help them report to the relevant authorities, matters of concern that could relate to the safety of children, young people and adults with care and support needs, particularly as it relates to child exploitation, abuse, modern slavery and human trafficking.

General Information

Plymouth City Council's Licensing Team is helping to tackle child exploitation, abuse, modern slavery and human trafficking by working together with key partners, particularly Devon and Cornwall Police, Children and Adult Services within the Council, and the Safeguarding Team. The Safeguarding Team also work with the police, children's and adults social care, schools, health services and the youth offending team as well as specialist child exploitation organisations.

Through agencies working together and sharing information, we aim to identify and prevent exploitation, modern slavery and human trafficking to protect children, young people and adults with care and support needs and disrupt the activities in order to prosecute perpetrators of abuse.

Sharing information with Devon and Cornwall Police and Children's/Adult Social Care helps to protect children, young people and adults with care and support needs from harm.

How licence holders can help tackle child exploitation, abuse and modern slavery

Licence holders may become aware of children, young persons and adults with care and support needs, or people who are victims of modern slavery or human trafficking. This may be in hotels, bars and restaurants, late night takeaways, off licences or other licensed premises. Licence holders and staff employed in licensed premises are in an ideal position to help protect people.

Safeguarding children, young people and adults with care and support needs is everyone's business and everyone's responsibility.

Child Exploitation

Exploitation of children and young people involves exploitation situations, contexts and relationships where young people (or a third person or persons) receive something, e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money, etc. as a result of them performing an activity on them. Violence, coercion, intimidation and sexual activity are commonly involved in such exploitative relationships.

Child sexual exploitation involves perpetrators grooming youngsters and using their powers to sexually abuse them. Sexual exploitation of children and young people can take many forms, whether it occurs through a seemingly 'consensual' relationship with an older boyfriend, or a young person having sex in return for attention, gifts, alcohol or cigarettes.

Child exploitation is a crime that can affect any child, anytime, anywhere- regardless of their social or ethnic background.

In particular, licence holders and staff in licensed premises should ask themselves the following types of questions:

- does your customer appear to be under 18 years old?
- are they with a much older person and appear to be in a relationship?

- do you think that they are under the influence of alcohol or drugs?
- are children, young people or adults with care and support needs regularly being dropped off/picked up or collected and taken elsewhere from licensed premises such as a hotel, B&B or late night takeaway?
- is a child, young person or adult with care and support needs regularly being brought to a licensed premises such as a hotel or B&B where you work? If so, ask yourself why?

If the answers to any of the questions above gives you even the slightest cause for concern, these concerns should be reported.

If you have reason to suspect that a child is being abused or at risk of abuse it is your responsibility to report your concerns to and share information with Devon and Cornwall Police (Tel:101 or if immediate risk 999) and Plymouth Children's Gateway Service (Tel: 01752 668000 or email for enquiries and referrals: gateway@plymouth.gov.uk)

Alternatively please complete the online form:

[Report child abuse or neglect | PLYMOUTH.GOV.UK](#)

[Report adult abuse or neglect | PLYMOUTH.GOV.UK](#)

Further information about Plymouth's Safeguarding Team can be found at [Adults and children's social care | PLYMOUTH.GOV.UK](#)

Adults with care and support needs

An adult with care and support needs is someone who is in need of community care services due to disability, age or illness. They may be unable to take care of or protect themselves against significant harm or exploitation.

In particular, licence holders and staff who work in licensed premises should ask themselves the following questions when coming into contact with children, young people or adults with care and support needs:

- has your customer got any physical signs of abuse or neglect?
- are they a regular customer? Do you see changes in their behaviour or mood?
- a customer tells you they are having difficulties with someone else
- a customer tells you they have a worry about someone
- a customer tells you they have hurt a person
- a customer tells you something they have seen or heard
- do you know something that causes concern about someone else's welfare?
- you see worrying behaviour towards someone

If the answers to any of the questions above give you even the slightest cause for concern you may need to take urgent action to protect the adult.

Your first priority is with the adult, to make them safe (including reporting to the police if immediate action is required). If you or the person concerned need to raise a concern with Plymouth City Council to help, please contact 01752 668000 or out of hours 01752 346984.

Alternatively, please complete the online form - [Report adult abuse or neglect | PLYMOUTH.GOV.UK](#)

Further information about Plymouth's Safeguarding Team can be found at [Adults and children's social care | PLYMOUTH.GOV.UK](#)

Modern Slavery and human trafficking

Modern slavery is a crime and a violation of fundamental human rights and can take various forms such as slavery, servitude, forced and compulsory labour and human trafficking.

In particular, licence holders and staff who work in licensed premises should ask themselves the following questions when coming into contact with children, young people or adults with care and support needs:

- is the victim in possession of a passport, identification or travel documents? Are these documents in possession of someone else?
- does the victim act as if they were instructed or coached by someone else? Do they allow others to speak for them when spoken to directly?
- was the victim recruited for one purpose and forced to engage in some other job? Was their transport paid for by facilitators, whom they must pay back through providing services?
- does the victim receive little or no payment for their work? Is someone else in control of their earnings?
- was the victim forced to perform sexual acts?
- does the victim have freedom of movement?
- is the victim under the impression they are bonded by debt or in a situation of dependence?
- has the victim been harmed or deprived of food, water, sleep, medical care or other life necessities?
- can the victim freely contact friends or family? Do they have limited social interaction or contact with people outside their immediate environment?

Report something suspicious you spot to the Police or other authorities – it could be at licensed premises where you work, where workers seem reticent to engage, not appropriately dressed for their work or increasingly ill fed and unkempt. Or a young person repeatedly being brought to a hotel by another person for short periods of time.

If there is an immediate danger to the suspected victim or if you think that the suspected victim is under 18, inform the police and call 999 as a matter of urgency.

For England and Wales, please call the Modern Slavery 24 hour confidential referral helpline on 0800 0121700 anytime of the day or night to refer a victim of trafficking or receive advice. Further information can be found at [Modern Slavery Helpline](#)

City Council



Date of meeting:	29 January 2024
Title of Report:	Stage Two – Constitutional Changes
Lead Member:	Sarah Allen (Chair of Audit and Governance Committee)
Lead Strategic Director:	Giles Perritt (Assistant Chief Executive)
Author:	Ross Jago, Head of Governance Performance and Risk
Contact Email:	Ross.jago@plymouth.gov.uk
Your Reference:	Const2.23/25
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of Report

1.1. Following agreement at the June 2023 meeting of the Audit and Governance Committee, a small working group has continued the review of the constitution, specifically –

- Petition Scheme / Guidance (as a result of Council Referral)
- Standards Committee (New)
- Part E of the constitution
- Rules of Debate (New)

1.2. These documents were reviewed by officers, and Councillors considered revisions at informal sessions held in October and December 2023.

2. Summary of Changes

2.1. Amended and new parts of the constitution are appended to the report, and changes are as follows –

Petition Scheme - E-Petitions

2.2. Members who moved the amendment concerning third party websites were invited to make representations at the working group, which were that –

- *Third Party E-Petitions should be accepted.*
 - *This is because other Councils accept e-petitions and some third party e-petitions systems will provide the required information to validate the petitions.*

2.3. The working group rejected the proposal as, given the wide variety of online e-petition platforms, it could not be guaranteed that required data for validation of a petition would be available. In addition, the UK Parliament does not accept petitions hosted on external websites and it was felt that the Council should reflect that practice.

- *Clarity*
 - *The proposed drafting states “that e-petitions may not be accepted by the council”.*

2.4. The working group agreed that this was not clear and have amended the proposal to “E-petitions created or submitted through third party websites will not be accepted.”

2.5. The full scheme is appended to the report.

Standards Committee

2.6. The working group considered draft terms of reference for a new Standards Committee both in October and December 2023. The terms of reference were in line with the recently approved arrangements for standards, however the group considered that councillors who were the subject of a complaint should have the right to make representations when the committee considered a complaint.

2.7. Amendments have been made to reflect the discussion and a draft terms of reference is included at appendix B.

Part E: Committees, joint committees, committee procedure rules and other statutory functions

2.8. Part E of the constitution was discussed both in October and December 2023 and several changes are proposed.

2.9. *Heart of the South West Joint Committee* – This committee is recommended for removal from the constitution following the issuing of a notice to dissolve the Joint Committee, which was agreed by the Council at its November 2023 meeting

2.10. *Heart of the South West Local Enterprise Partnership Joint Scrutiny Committee* - The abolition of LEPs in 2024 for which the scrutiny committee was established will remove the requirement for this Committee. Its terms of reference will be removed at the appropriate time under delegation to the Monitoring Officer.

2.11. *Audit and Governance Committee* - The group recognised that the terms of reference have only been recently revised but proposed the additions for clarity and to provide flexibility on Committee Size. The Audit and Governance Committee have amended the recommendations to specify that the quorum for the Committee is four.

2.12. *Licensing Committees* - The group wished to ensure that the size of the licensing committees reflected the minimum quorum set out in legislation and have proposed a maximum size rather than a defined size to ensure flexibility in committee allocation. Licensing (main) Committee is proposed to have a maximum size of 15 members and retain the current sub-committee quorum of three. Taxi Licensing will have a maximum of 7 members.

2.13. *Mount Edgcumbe Joint Committee* - This is a committee of Cabinet as the management of the Mount Edgcumbe is an executive function. It is therefore not a committee of the council and should be removed from the constitution. The Terms of Reference will be added as an appendix to the Scheme of Delegation.

- 2.14. *Devon and Cornwall Police and Crime Panel* – The panel is an outside body and not a committee of council and therefore it is proposed it is removed from the constitution.
- 2.15. *General rules applying to committees* – This section has been amended to reflect current practice, the law and changes agreed but not yet made.
- 2.16. The Planning Committee and Code of Probity in Planning are currently being reviewed by officers and any proposals for change will be discussed at the next working group.

3. Rules of Debate

- 3.1. Following the Council meeting in November 2023 it was identified that greater clarity was required in the Rules of Debate.
- 3.2. In December 2023 the group reviewed amended rules of debate. A new rules of debate will be published as a to follow paper. It is broadly the same as previous versions with proposed changes intended to –
- Clarify expectations of respect for the Lord Mayor and their rulings;
 - Clarify what is a motion on notice and a motion without notice;
 - Clarify what is an amendment and what is a closure motion;
 - Clarify the speaking order and when councillors may speak again on a motion.

The Audit and Governance Committee agreed changes to the rules of debate with the correction in respect of motions which can be moved without notice (include motions to suspend standing orders).

The Audit and Governance Committee further agreed that proposals to include a deadline for amendments in advance of the meeting, should be further discussed by political groups before submission to Council.

Recommendations and Reasons

That Council approves –

1. Amended Part E and Petition Scheme/Guidance;
2. Standards Committee terms of reference;
3. Rules of Debate set out in the to follow report.

Reason: Changes to the constitution are recommended by Audit and Governance Committee to Full Council to address immediate changes to improve the efficiency of Council meetings and the clarity of procedure.

Alternative options considered and rejected

None – the review of the constitution is a response to issues identified through the municipal year/ 2022/23

Relevance to the Corporate Plan and/or the Plymouth Plan

Effective decision and good governance impacts upon all aspects of the Corporate Plan. Proposed changes to the constitution will ensure efficient governance processes in support of the Corporate Plan.

Sign off:

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Originating Senior Leadership Team member: Giles Perritt, Assistant Chief Executive

Please confirm the Strategic Director(s) has agreed the report? Yes
Date agreed: 18/01/2024

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PLYMOUTH CITY COUNCIL

PETITION SCHEME

1. SUBMITTING A PETITION TO THE COUNCIL

- 1.1. Plymouth City Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition.
- 1.2. Paper petitions are those prepared in the traditional way: a petition organiser creates a paper document that includes a proposed action. Residents physically write their name, address and signature on this document to show their support of the proposed action.
- 1.3. To help you organise paper petition, the Council has prepared a template which is available on our website.
- 1.4. Paper petitions can be sent to the Democratic Services Team.
- 1.5. e-Petitions are created, signed, and submitted entirely online. **E-petitions created or submitted through third party websites will not be accepted.** If you wish to start an e-petition, please use the Council e-petition system¹.

2. GUIDELINES FOR SUBMITTING A PETITION

2.1. Petitions submitted to the Council must include:

- A clear and concise statement covering the subject of the petition. This should state what action the petitioners wish the Council to take.
- The names and signatures of each person supporting the petition, together with the full addresses (including postcode) at which they live, work or study in Plymouth, regardless of age.
- Contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition. The contact details of the petition organiser will not be published.
- If the petition does not identify a petition organiser, we will contact the first listed signatory to the petition to agree who should act as the petition organiser.

3. Scope of Petition

3.1. The Monitoring Officer may reject a petition if it:

- is not about a matter for which the local authority has a responsibility or which affects the City;
- is defamatory, discriminatory, frivolous; offensive; vexatious, abusive or otherwise inappropriate;
- is substantially the same as a petition which has been put at a meeting of the Council in the previous 6 months;
- requires the disclosure of confidential or exempt information; or

¹ Link made will be made available subject to Council approval

- seeks to pursue or further a complaint against the Council, where other channels already exist for the determination of complaints.
- 3.2. In addition, there are some circumstances where petitions will not be dealt with under this Scheme. These include any matters relating to planning or licensing applications; where a separate consultation process is active; or other circumstances which, in the opinion of the Monitoring Officer would mean the petitions would better be dealt with using a different Council procedure.
 - 3.3. The Council may seek to verify the authenticity of each entry on a petition by reference to existing information such as (where appropriate) the current electoral register or other relevant records. Entries which cannot be verified may not be counted for the purposes of determining whether a petition has exceeded a threshold set out in this scheme.
 - 3.4. In the period immediately before an election or referendum, when certain legal restrictions apply, we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply.
 - 3.5. If a petition does not follow the guidelines set out above, the Council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

4. ACTION BY THE COUNCIL ON RECEIPT OF A PETITION

- 4.1. An acknowledgement will be sent to the petition organiser within 10 working days of us receiving the petition. This will let them know what we plan to do with the petition and when they can expect to receive a formal response to it. If the petition needs more investigation, we will tell the petition organiser the steps we plan to take.
- 4.2. If we can do what the petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed.
- 4.3. All petitions submitted with 25 or more signatures will receive a formal response from the relevant Director within 28 days of receipt. This will usually be the quickest way of addressing the issue.
- 4.4. If however, the petition meets the requirements to be debated at a meeting of Councillors under the provisions of this scheme, the petition will receive a formal response within 28 days from the meeting. If you request this option, the relevant Director may still write to you. You may choose not to proceed with presentation at a meeting if you feel their response resolves the matter.
- 4.5. The acknowledgment will confirm when and how your response will be sent and tell you when and where the meeting will take place (if applicable and if known at that stage).
- 4.6. To ensure that people know what we are doing in response to the petitions we receive, the details of all petitions submitted to the Council will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed).

5. DEBATE BY ELECTED COUNCILLORS

5.1. Subject to your petition containing sufficient signatures as set out below the petition will be presented to a meeting of Councillors at your request. There are several ways in which this can be done.

Debate at a Council Meeting

5.2. If your petition includes the names, addresses and signatures of 5000 persons who live, work or study in Plymouth a debate will be held about the petition at a full Council meeting.

Officer evidence to the Overview and Scrutiny Committee

5.3. If your petition includes the names, addresses and signatures of at least 2500 persons who live, work or study in Plymouth, you may request that a relevant senior officer give evidence at a public meeting of one of the Council's Overview and Scrutiny Committees.

5.4. For example, you may request that a senior officer explain progress on an issue, or the advice given to councillors to enable them to make a particular decision. The senior officers who may be called to give evidence under this procedure include the Head of the Paid Service (Chief Executive) and any of the Council's statutory or non-statutory Chief Officers (Directors).

5.5. You should be aware that the Overview and Scrutiny Committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. The Committee will also call the relevant Cabinet Member(s) to attend the meeting. Committee members will ask the questions at this meeting.

General guidance on requesting your petition be debated

5.6. When determining whether a petition has met or exceeded a threshold set out in this scheme, the Council will only count signatories for which a local connection (i.e. that the signatory either lives, works or studies in Plymouth) can be evidenced from the information supplied. There is a risk that petitions created and/or submitted via third party e-petition websites may not satisfy this criterion so it is strongly recommended that e-petitions are created via the Council's own e-petition facility [[link](#)]

5.7. Similar petitions: In the event that 2 or more petitions which are substantially the same are received from different petition organisers, the Monitoring Officer may aggregate the number of valid signatures in each petition for the purpose of determining whether the threshold to trigger a Council debate of the matters raised has been reached if that is the wish of the petition organisers.

6. PETITIONS ON NON-COUNCIL FUNCTIONS

6.1. If your petition is about something over which the Council has no direct control (for example the local railway or hospital) it is unlikely you will be able to present it to a Council meeting, but we will consider making representations on behalf of the

community to the relevant body. The council works with a large number of local partners and where possible may liaise with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with Council policy), then we will set out the reasons for this to you.

- 6.2. If your petition is about something that a different authority is responsible for, we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other authority, but could involve other steps. In any event we will notify you of the action we have taken.

STANDARDS COMMITTEE

I. GENERAL

I.1. Definitions:

- “Complainant” - the party who has made an allegation that a Member has failed to comply with the Members’ Code of Conduct.
- “Independent Person” - a person who is not a Member, co-opted Member or officer of the Council and who has been appointed to the role of Independent Person and whose views must be sought by the Council before it takes a decision on an allegation which it has decided shall be investigated, and whose views can be sought by the Council at any other stage of the investigation, or by a Member or co-opted Member against whom an allegation has been made.
- “Investigator” - the person appointed by the Monitoring Officer to undertake the investigation. The investigation officer may be the Monitoring Officer, another officer of the Council, an officer of another authority or an external investigator.
- “Subject Member” - the Member against whom the allegation has been made of a failure to comply with the Code of Conduct.

3. PURPOSE

- 3.1. To hear cases in accordance with the Council’s procedure for dealing with complaints about Member’s and co-opted members’ conduct.
- 3.2. To decide whether to uphold complaints made against Members having first considered the views of the Independent Person.
- 3.3. To determine what action to take based upon the outcome of the hearing.

4. MEMBERSHIP

- 4.1. All members of the Committee will adhere to the general rules of the Committee.
- 4.2. There are five members of the Committee including the Chair and Vice Chair.

5. PROPORTIONALITY

- 5.1. The Standards Committee is a proportional committee of council, allocation of seats will be determined through the proportionality calculations.

6. CHAIR

- 6.1. The Chair will be from the group in administration.

7. VICE CHAIR

- 7.1. The Vice Chair will be from a group in opposition.

8. MATTERS TO BE CONSIDERED AT THE COMMITTEE

8.1. The Monitoring Officer may refer a matter to the Standards Committee where they consider that the matter is one or more of the following:

- very serious;
- a conflict of interest has arisen;
- the matter is particularly complex;
- the matter is potentially going to attract a high level of public interest;
- the matter is politically sensitive.

9. REFERRAL OF THE MATTER TO COMMITTEE

9.1. Where the Monitoring Officer considers a standards matter should be referred to the Standards Committee (“Committee”) for determination they will convene a meeting of the Committee as soon as reasonably practicable.

9.2. The Monitoring Officer shall prepare a summary report for the Committee detailing:

1. The complaint and information supporting it.
2. The provisions of the code engaged by the allegations.
3. Any comments of the Subject Member.
4. A summary of the findings of the investigation report.
5. A summary of the views of the Independent Person.
6. Details of any efforts made to resolve the matter informally.

9.3. The Independent Person is invited to attend all meetings of the Committee.

9.4. The Committee will consider directions to enable the matter to proceed to a final hearing.

10. Procedure

10.1. The Investigator will attend the Standards Committee to present his/her investigation report and may invite the Complainant to appear as a witness or call other witnesses.

10.2. The following people¹ will also be invited to attend the Standards Committee:

- The Complainant;
- The Subject Member;
- The Independent Person;
- Any witnesses; or

¹ No person shall sit on a full hearing if they have previously considered any element of the complaint in order to avoid any potential conflict of interest.

- Any other person as determined by the Chair of the Committee and/or the Monitoring Officer.
 - The Subject Member may bring witnesses (of a number the Committee considers is reasonable), in which case written statements from the witnesses must be lodged with the Monitoring Officer at least 10 working days before the hearing. “Character witnesses” who cannot provide evidence on the matter complained about will not be permitted. The cost of any attendance/representation must be borne by the party concerned.
- 10.3. All written evidence must be provided to the Monitoring Officer at least 5 working days before the hearing so it can be circulated to the Committee, the Independent Person, the Investigator, the Subject Member and the Complainant.
 - 10.4. Written statements will not be read out at the hearing as it will be assumed all those present are already familiar with their contents.
 - 10.5. The Monitoring Officer can speak at any time to advise the Committee on technical matters or ask questions of any party.
 - 10.6. The Chair of the Committee will introduce the members of the Committee, the Independent Person, officers, the Subject Member, the Investigator and the Complainant, if present.
 - 10.7. The Chair will explain the reason for the meeting and outline the procedure to be followed. The Chair may choose to vary this procedure in any particular instance where they are of the opinion that such a variation is necessary in the interests of fairness.
 - 10.8. The Chair will also explain that the hearing will normally be held in public unless the Committee exercises its discretion for the matter to be considered in private in accordance with the provisions of Rule 10 of the Access to Information Procedure Rules relating to exempt information. If the meeting is to be held in private the press and public will be excluded².
 - 10.9. The Chair will then confirm that all those involved understand the procedure to be followed and ask if there are any preliminary procedural issues which anyone wishes to raise before the hearing begins.
 - 10.10. If any procedural issues are raised, the Committee will hear representations on them before determining them.
 - 10.11. If the Subject Member is not present at the start of the hearing, the Committee will consider any reasons given by them for their non-attendance. If the Committee is satisfied that there is good reason for their non-attendance, it may adjourn to another date, or proceed on the request of the Subject Member.

² The Committee may invite people to remain in the meeting if it is considered that they could provide information relevant to the complaint.

- 10.12. If the Committee is not satisfied that there is good reason for the Subject Member's non-attendance, or if the Subject Member has failed to give any reason for their non-attendance, the Committee can decide to consider the matter and make a determination in the absence of the Subject Member, or to adjourn the Hearing to another date.
- 10.13. The Investigator will be invited to summarise their report and findings and make any representations about the written pre-hearing submission of the Subject Member. The Investigator may call any witnesses, including the Complainant.
- 10.14. The Committee will identify the areas of disagreement between the Investigator and the Subject Member on the Investigation report's facts or conclusions.
- 10.15. The Subject Member will then be invited to make representations in support of the fact(s) concerned and whether the evidence gives rise to a breach or breaches of the Code of Conduct.
- 10.16. The Committee and/or the Independent Person may also ask questions of anyone present at the meeting in order to reach a conclusion on the complaint.
- 10.17. The Subject Member and the Investigator/Complainant will be given the opportunity to make closing statements if they wish to do so.
- 10.18. Before reaching a final decision on the complaint, the Committee must seek, and take account of, the view of the Independent Person in relation to the complaint.
- 10.19. The Committee and the Independent Person will retire to consider what they have heard in private accompanied only by the clerk and legal advisor, who will advise them when required.
- 10.20. If the Committee is unable to reach a conclusion on the complaint on the basis of the information before it, it may adjourn the meeting and request that the Monitoring Officer seeks the further information required. However, when doing so the Committee should consider whether the information will be readily available to the Monitoring Officer.

11. DECISION

- 11.1. Once the Committee is satisfied with the information before it, it must decide the following issues:
 - Whether the Subject Member has failed to comply with the Members' Code of Conduct;
 - Whether further action is warranted; and
 - What form of action might be appropriate.

11.2. The Chair will then announce to all present at the Hearing the Committee's decision whether the Subject Member has failed to comply with the Code of Conduct, whilst setting out the facts upon which the conclusions have been reached.

11.3. If the Committee decides that the Subject Member has not failed to follow the Code of Conduct, the Committee will then consider whether it should make any recommendations to the Council.

11.4. If the Committee concludes that, on the balance of probabilities, the Subject Member did not fail to comply with the Members' Code of Conduct, this will conclude the complaints process. In such cases no further action will be taken in respect of the complaint, although the Committee may still wish to consider making a recommendation to the authority with a view to promoting and maintaining high standards of conduct in general.

11.5. If the Committee concludes that, on the balance of probabilities, the Subject Member has failed to comply with the Members' Code of Conduct, the Committee must go on to consider whether action should be recommended in respect of the Subject Member, and what form of action might be appropriate. Before doing so, the Committee may hear further representations from the Subject Member and the Independent Person. Such recommendations may include proposed changes to internal procedures and practices or training for Members in general.

11.6. The recommendations available to the Committee include³ but are not limited to:

- Recommend to the Council that it should make a motion of censure in relation to the Subject Member's conduct; or
- Recommend to the leader of the Subject Member's political group (where the Subject Member is a member of a political group or otherwise to the Council) that the Subject Member be removed from any or all Committees or Sub-Committees of the Council (subject to statutory and constitutional requirements).
- In the case of a Cabinet Member recommend to the Leader of the Council that the Subject Member be removed from the Cabinet.
- In the case of the Leader recommend to the Council that the Subject Member be replaced as Executive Leader;
- Recommend to full Council or Cabinet that the Subject Member be removed from all outside appointments to which the Subject Member has been appointed or nominated by the Council.

11.7. Furthermore the Committee may –

- Send a formal letter to the Subject Member from the Chair of the Standards Committee;
- Reprimand the Subject Member;
- Request the Subject Member remove any social media content which led to the complaint;
- Request that the Subject Member be required to make an apology at full Council;

³ The committee may not decide to disqualify or suspend the Subject Member as a councillor.

- Publish its findings in respect of the Subject Member's conduct;
 - Report its findings to full Council for information and noting;
 - Instruct the Monitoring Officer to arrange training for the Subject Member, which the Subject Member is obliged to attend;
 - Exclude the Subject Member from the Council's offices or other premises (if reasonable in response to the acts complained of and provided it does not prevent the Subject Member from carrying out their duties as a councillor), with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.
- 11.8. The Committee has no power to suspend or disqualify the Subject Member or to withdraw Members' or special responsibility allowances.
- 11.9. The Committee may make a recommendation in relation to one or more of the above sanctions to full Council or, if appropriate, the Group Whip.
- 11.10. The Committee may also make general recommendations to the authority with a view to promoting and maintaining high standards of conduct within the authority. As stated above, such recommendations may include proposed changes to internal procedures and practices or training for Members in general. The Monitoring Officer will be responsible for communicating such recommendations to the relevant Committee or officer for consideration.
- 11.11. Within five working days of the meeting the Chair of the Committee will write to the complainant and the Subject Member explaining the final decision of the Committee and detailing any recommendations made.
- 11.12. There is no right of appeal against a decision of the Committee.

**PART E: COMMITTEES,
JOINT COMMITTEES,
COMMITTEE
PROCEDURE RULES
AND OTHER
STATUTORY
FUNCTIONS**

Heart of the South West Local Enterprise Partnership Joint Scrutiny Committee - Terms of Reference (This section to removed at the appropriate time)

Purpose

- 1.1. The Joint Scrutiny Committee will provide strategic overview and Scrutiny of the activities of the Heart of the South West (HotSW) Local Enterprise Partnership (LEP) to complement the existing Council's Scrutiny arrangements.

Roles, Duties and Responsibilities

- 1.2. In meeting its purpose, the Joint Scrutiny Committee will be specifically charged with:
- The review of strategic decisions made by the LEP Board;
 - The review of progress of programmes under the management of the LEP to identify barriers to progress, good practice and possible improvements to the LEP's programme management function, notwithstanding the ability of Local Authorities to scrutinise individual programmes of delivery which impact on their communities;
 - Scrutiny of the delivery of the Strategic Economic Plan and the Productivity Strategy; and
 - To review LEP performance and consider any comparative data the Joint Committee deems necessary.

Scrutiny Function

- 1.3. The Joint Scrutiny Committee will provide a new joint Scrutiny function and the Joint Committees constituent authorities will be asked to delegate the strategic overview of the LEP functions to the Joint Scrutiny Committee (this will not remove the right of local authorities to scrutinise matters relating to programme delivery that impact on the people within those communities).

Membership / Substitute Members

- 1.4. The membership of the Joint Scrutiny Committee will be:

- Devon County Council (4 Members)
- Plymouth City Council (2 Members)
- Torbay Council (2 Members)
- Somerset County Council (4 Members)
- Devon Districts (3 Members)
- Somerset Districts (2 Members)

- 1.5. In line with the requirements of the Local Government and Housing Act 1979, political proportionality has been considered and is not considered appropriate to apply to the collective membership of the Joint Scrutiny

Committee. However, where a Council is appointing three or more Members, political proportionality will apply to those appointments in line with the legislation. For less than three, each constituent authority will be free to consider their own political proportionality in making their appointments to the Joint Committee on an annual basis.

- I.6. The level of representation proposed for the County authorities is considered appropriate because of their administrative authority duties in respect of the LEP.
- I.7. Members of the Executive / Cabinet from constituent authorities are precluded from sitting as members of the Joint Scrutiny Committee.
- I.8. District Council representatives should be appointed from authorities not already represented on the HotSW Local Enterprise Partnership Board and also should not be County Councillors.
- I.9. Constituent authorities may make substitutions in accordance with their own procedures where one of their Members is unable to attend any meeting of the Joint Scrutiny Committee. Substitutes do not need to be named, but as a courtesy the administering secretariat should be advised of the name of the substitute at least 24 hours in advance of the meeting.
- I.10. Reflecting the approach to engage with stakeholders across the LEP Area, the Scrutiny Committee will be able to invite to meetings witnesses which it considers will contribute to the delivery of an effective Scrutiny function.

Work Programme

- I.11. The Joint Scrutiny Committee will maintain a work programme of activities.
- I.12. Constituent Authority Scrutiny Committees may ask the Joint Scrutiny Committee to consider matters for inclusion in the work programme. The final decision is a matter for the Joint Scrutiny Committee.
- I.13. District Council Scrutiny Committees not directly represented on the Joint Scrutiny Committee should do this through the District Councils Members appointed to the Committee.

Reporting Arrangements

- I.14. The work and recommendations of the Joint Scrutiny Committee will be regularly reported to the Heart of the South West LEP Board.
- I.15. Members may make reports to their “home” constituent authority in accordance with their own governance procedures.

Agendas, reports and minutes

- 1.16. The agenda and supporting papers will be published and circulated at least five clear working days in advance of meetings.
- 1.17. The minutes of any meetings will be published on the administering secretariat's website and circulated to partner organisations as soon as practicable.
- 1.18. The Committee will operate under the Standing Orders of the administering authority. The HotSW LEP will provide a link to the agendas and minutes of the Joint Scrutiny Committee on its website.

Frequency of meetings

- 1.19. The date, time and venue of meetings will be fixed in advance by the Joint Scrutiny Committee and an annual schedule of meetings agreed.
- 1.20. The Joint Scrutiny Committee will meet three times per year (March, July and November). Dates will be published on the website of the administering authority. Additional meetings may be convened at the request of the Chair.

Election of Chair

- 1.21. The Chair will be elected on an annual basis by Members of the Joint Scrutiny Committee.

Quorum

- 1.22. The quorum of the Committee shall be one quarter of Members, equating to a quorum of 5.

Declarations of interest

- 1.23. Declarations of Interest will be made in accordance with the Government Guidance. Joint Scrutiny Committee Members are subject to the Code of Conduct for Elected Members adopted by the Constituent Authority that nominated them including the requirement to declare relevant interests at formal meetings of the Joint Scrutiny Committee.

Voting

- 1.24. In principle recommendations will be reached by consensus, but if a vote is required it will be by a simple majority of all members present.
- 1.25. Where there are equal votes the Chair of the meeting will have the casting vote.

Duty to attend, cooperate and respond

- 1.26. The Joint Scrutiny Committee may require by invitation the Chair of the LEP Board and the Chief Executive of the LEP to appear before it to explain

(in relation to all aspects of the Committee's work) the performance of the LEP and / or any particular decision or series of decisions. The Chair and Chief Executive have agreed to attend if so required, unless they have a legitimate reason for not doing so.

- I.27. Following each meeting of the Joint Scrutiny Committee, the Committee's recommendations will be submitted to the LEP Board for consideration. The LEP Board will be required to consider those recommendations at its next meeting, and respond to the Joint Scrutiny Committee indicating what (if any) action the LEP Board proposes to take. The response should be made within 28 days of the LEP Board meeting and will be published.

Code of conduct

- I.28. Members of the Joint Scrutiny Committee are expected to observe the "Seven Principles of Public Life" (the 'Nolan' principles) and shall be bound by their own authority's Code of Conduct in their work on the Joint Scrutiny Committee.
- I.29. Members are expected to act in the interests of the Joint Scrutiny Committee, except where this would result in a breach of a statutory or other duty to their Constituent Authority or would be in breach of their Constituent Authority's Code of Conduct.

Access to information

- I.30. Joint Scrutiny Committee meetings are regarded as a Council Committee for the purposes of Access to Information Act.
- I.31. Meetings will be open to the press and public and the Freedom of Information Act provisions shall apply to all business.

Audit and Governance Committee Terms of Reference

1. Statement of purpose

- 1.1. Our Audit and Governance Committee is a key component of Plymouth City Council's corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.
- 1.2. The purpose of our Audit and Governance Committee is to provide independent assurance to the Council of the adequacy of the risk management framework and the internal control environment. It provides independent review of Plymouth City Council's governance, risk management and control frameworks and oversees the financial reporting and annual governance processes.
- 1.3. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.

2. Membership, Chair and Quorum

- 2.1. The Audit Committee will have a minimum of seven members which will include two independent members.
- 2.2. Substitute Members are permitted, subject they have met the training requirements.
- 2.3. The committee is politically balanced and appointment to the Committee, Chair and Vice are made by Council.
- 2.4. The quorum for the committee is four members.

3. Committee Responsibilities

3.1. Governance, risk and control

- To review the council's corporate governance arrangements against the good governance framework, including the ethical framework and consider the local code of governance.
- To review the Annual Governance Statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control.
- To consider the council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
- To consider the council's framework of assurance and ensure that it adequately addresses the risks and priorities of the council.

- To monitor the effective development and operation of risk management in the council.
- To monitor progress in addressing risk-related issues reported to the committee.
- To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
- To review the assessment of fraud risks and potential harm to the council from fraud and corruption.
- To monitor the counter-fraud strategy, actions and resources.
- To review the governance and assurance arrangements for significant partnerships or collaborations.
- To approve and oversee the Council's strategic objectives across the Plymouth City Council family of companies and to support the development of companies in line with the Council's regulations and values.

3.2. Internal Audit

- To approve the internal audit charter.
- To review proposals made in relation to the appointment of external providers of internal audit services and to make recommendations.
- To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.
- To approve significant interim changes to the risk-based internal audit plan and resource requirements.
- To make appropriate enquiries of both management and the head of internal audit to determine if there are any inappropriate scope or resource limitations.
- To consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing of the head of internal audit. To approve and periodically review safeguards to limit such impairments.
- To consider reports from the head of internal audit on internal audit's performance during the year, including the performance of external providers of internal audit services. These will include:
 - updates on the work of internal audit including key findings, issues of concern and action in hand as a result of internal audit work
 - regular reports on the results of the Quality Assurance and Improvement Program
 - reports on instances where the internal audit function does not conform to the Public sector internal audit standards (PSIAS) and local government application note (LGAN), considering whether the non-conformance is significant enough that it must be included in the Annual Governance Statement.
- To consider the head of internal audit's annual report:

- The statement of the level of conformance with the PSIAS and LGAN and the results of the QAIP that support the statement – these will indicate the reliability of the conclusions of internal audit.
- The opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control together with the summary of the work supporting the opinion.
- To consider summaries of specific internal audit reports as requested.
- To receive reports outlining the action taken where the head of internal audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.
- To contribute to the QAIP and in particular, to the external quality assessment of internal audit that takes place at least once every five years.
- To consider a report on the effectiveness of internal audit to support the AGS, where required to do so by the Accounts and Audit Regulations
- To provide free and unfettered access to the audit committee chair for the head of internal audit, including the opportunity for a private meeting with the committee.

3.3. External audit

- To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by Public Sector Audit Appointments or the authority's auditor panel as appropriate.
- To consider the external auditor's annual letter, relevant reports and the report to those charged with governance.
- To consider specific reports as agreed with the external auditor.
- To comment on the scope and depth of external audit work and to ensure it gives value for money.
- To commission work from internal and external audit.
- To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.

3.4. Financial reporting

- To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the council.
- To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

3.5. Accountability arrangements

- To report to those charged with governance on the committee's findings, conclusions and recommendations concerning the adequacy and

effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements, and internal and external audit functions.

- To report to full council on a regular basis on the committee's performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose.
- To publish an annual report on the work of the committee.

3.6. Ethical Framework

- To promote and maintain high standards of conduct by Councillors and co-opted Members.
- To assist the Councillors and co-opted Members to observe the Members' Code of Conduct.
- To advise the Council on the adoption or revision of the Members' Code of Conduct.
- To receive reports on the operation of the Members' Code of Conduct from the relevant sub-committee.
- To advise on training arrangements for Councillors and co-opted Members on matters relating to the Members' Code of Conduct.
- To grant dispensations, subject to other delegations, to Councillors and co-opted Members on requirements relating to interests set out in the Members' Code of Conduct.
- To ensure arrangements are in place under which allegations of misconduct in respect of the Members' Code of Conduct can be investigated and to review such arrangements where appropriate.
- To receive an annual report from the Monitoring Officer on local and national issues relating to ethical standards and to bring to the attention of Members any complaints.

Taxi Licensing and The Taxi Licensing Committee

I FUNCTIONS

- 1.1 To carry out all the taxi and private hire and other vehicle licensing responsibilities in Paragraph B of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and in the Plymouth City Council Act 1975.
- 1.2 Policy - Council sets policies on taxi and private hire and other vehicle licensing on the recommendation of the Cabinet.

2 MATTERS DELEGATED TO THE TAXI LICENSING COMMITTEE

The Taxi Licensing Committee will:

- 2.1 Determine and review licence fees and terms and conditions of licences for taxis, private hire vehicles and other vehicles and operators;
- 2.2 Determine applications for taxi and private hire and other vehicle, driver and operator licences, when it has received any objections to the licence, permit or registration;
- 2.3 To determine applications for taxi and private hire and other vehicle, driver and operator licences when the applicant has a conviction and the Strategic Director of Public Health has concerns about the nature of the offence; or the applicant or vehicle may be unsuitable for some other reason;
- 2.4 Determine whether to withdraw or suspend licences for taxis and private hire and other vehicles and their drivers and operators
- 2.5 To review and where necessary amend the conditions and guidance to the taxi licensing policy set out in the Hackney Carriage Vehicle Specifications and Conditions, Private Hire Vehicle (and Special Event Vehicles) Specifications and Conditions, Private Hire Drivers and Operators conditions, CTV guidance, the Code of Good Conduct, the Guidance on relevance of Convictions and Conduct, Penalty Points Scheme, Spoken English Assessment Test procedure, and Wheelchair and Assistance Dogs Exemption Guidelines.

3 MATTERS DELEGATED TO OFFICERS

- 3.1 The Strategic Director of Public Health is authorised to carry out all other non-executive functions in respect of taxi licensing in accordance with the officer scheme of delegation of functions.

4 GENERAL

- 4.1 The Council's Taxi Licensing Committee is comprised of a maximum of seven Councillors who have received the appropriate training.

Licensing and The Licensing Committee

I. FUNCTIONS

I.1. The Council's licensing functions are:

- (a) All the responsibilities set out in Part B of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 relating to licensing, registration and gambling apart from those relating to taxis, private hire vehicles, other vehicles and operators; common land and village greens; highways, new roads, and street works.
- (b) The responsibilities set out in Part I of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 relating to making a closure order with respect to take away food shop (see Section 4 of the Local Government (Miscellaneous Provisions) Act 1982).
- (c) The responsibilities set out in Part I of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 relating to making an order identifying a place as a designated public place in connection with police powers about alcohol consumption (see Section 13(2) of the Criminal Justice and Police Act 2001).
- (d) The responsibilities set out in Part I of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 relating to making or revoking an order designating a locality as an alcohol disorder zone (see Section 16 of the Violent Crime Reduction Act 2006).

I.2. Council sets policies in respect of Licensing and Gambling on the recommendation of Cabinet.

2. MATTERS SPECIFICALLY DELEGATED TO THE LICENSING COMMITTEE

2.1. The Licensing Committee will:

- (a) Make orders identifying a place as a designated public place in connection with police powers about alcohol consumption;
- (b) Make or revoke orders designating a locality as an alcohol disorder zone;
- (c) Set the terms and conditions of licences, permits or registrations payable under the Licensing Act 2003;
- (d) Set the terms and conditions of licences, permits or registrations in connection with sex shops and sex cinemas;
- (e) Set fees for licences and permits issued under the Gambling Act 2005;
- (f) Set fees payable in connection with Street Trading;
- (g) Deal with any matter that is referred to it by an officer.

3. THE LICENSING SUB-COMMITTEE

4. The Licensing Committee appoints a sub-committee (the Licensing Sub-committee). Licensing Sub Committee will:
 - (a) decide applications made under the Licensing Act 2003 and Gambling Act 2005 where relevant representations are received within the timescale set out in the Act. When doing this the sub-committee follows the regulations and procedures under the Licensing Act 2003 or the Gambling Act 2005;
 - (b) decide whether to grant any other type of registration licence or permit when there are objections;
 - (c) determine all matters set out in section 10 of the Licensing Act 2003;
 - (d) determine all matters set out in section 154(4)(a) of the Gambling Act 2005;
 - (e) determine applications for club gaming or club machine permits and cancellation of such permits when there are objections;
 - (f) determine applications for prize gaming permits when there are police objections or officers would want to refuse them;
 - (g) determine applications for ice cream consents;
 - (h) set the terms and conditions of licences, permits or registrations and any fees or charges in connection with any of its responsibilities if they are referred to the sub-committee by an officer.
 - (i) Determine anything else which needs a hearing or which cannot legally be delegated to officers.

5. MATTERS DELEGATED TO OFFICERS

- 5.1. The Strategic Director for Place is authorised to carry out all other licensing functions in relation to Safety Certificates for sports grounds and regulated stands in accordance with the officer scheme of delegation of functions.
- 5.2. The Strategic Director for Place is authorised to carry out all other licensing functions in relation to Street Trading and market licensing in accordance with the officer scheme of delegation of functions.
- 5.3. The Strategic Director for Customer and Corporate is authorised to carry out all other licensing responsibilities in relation to premises for the solemnisation of marriage in accordance with the officer scheme of delegation of functions.
- 5.4. The Strategic Director for People deals with all other licensing responsibilities in relation to the employment of children. The Strategic Director for People is authorised to carry out all other licensing responsibilities in relation to the employment of children in accordance with the officer scheme of delegation of functions.
- 5.5. The Strategic Director for People is authorised to carry out all other licensing responsibilities in relation to houses in multiple occupation in accordance with the officer scheme of delegation of functions.

5.6. The Strategic Director of Public Health is authorised to carry out all other licensing responsibilities in accordance with the officer scheme of delegation of functions.

6. GENERAL

6.1. The Council's Licensing Committee is comprised of a maximum of 15 members.

6.2. The Licensing Committee must comprise members who have received the relevant training.

7. PROCEDURES

7.1. When an application under the Licensing Act 2003 and the Gambling Act 2005 is being dealt with the procedure followed shall be as set out in the Regulations issued under the Acts.

7.2. When any other licensing application is being dealt with the Council Rules of Procedure apply to meetings of this committee.

8. Quorum

8.1. The quorum of the Licensing Committee shall be no less than one third of the members of the full Committee and the Sub-Committee quorum shall be three members

9. Appointment of Substitute Members

9.1. No substitute members are allowed to sit on the Licensing Committee and Members appointed must have completed the Council's prescribed licensing training course. The Sub-Committee(s) will be made up of three members drawn from the members of the Licensing Committee.

Planning and the Planning Committee (This section is under review and with any amendments subject to a further report to council)

I. FUNCTIONS

The relevant functions of the Council are:

I.1 Planning and Conservation

- A** All the Council's functions in relation to Town and Country Planning and Development Control as specified in Schedule I to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended.

Commons registration

- B** All the Council's functions in relation to common land or town and village greens or unclaimed common land, or unlawful works on common land and to register the variation of rights of common as set out in Schedule I to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended.

Highways Use and Regulation

- C** All the Council's functions in relation to the regulation of the use of highways set out in Schedule I to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended.

High Hedges

- D** All the Council's functions in relation to applications and complaints about high hedges under Part 8 of the Anti-Social Behaviour Act 2003.

Trees

- E** The powers to preserve trees under Sections 197 to 214D of the Town and Country Planning Act 1990, and the Trees Regulations 1999 and to protect important hedgerows under the Hedgerows Regulations 1997.

I.2 Policy

The Council decides whether to adopt the Development Plan, on the recommendation of Cabinet.

2 MATTERS SPECIFICALLY DELEGATED TO THE PLANNING COMMITTEE

- 2.1 In relation to policies and strategies the Committee will:**

Advise the Cabinet on the implementation of the Development Plan and other planning policies and strategies.

2.2 Within the policies laid down by the Council, the Committee will

- 2.2.1. Determine applications relating to town and country planning, commons registration, the making or confirmation of Tree Preservation Orders where there are objections that cannot be resolved and the use or regulation of highways that would have a significant impact on two or more wards of the Council.
- 2.2.2 Determine town and village green applications where the matter is referred to the Committee by the Service Director for Strategic Planning and Infrastructure or a Member of the Council whose ward the town or village green is located in. Any referral by a Member of the Council must be made within 21 days from the date of notification of the recommendation.
- 2.2.3 Determine individual applications for planning permission and any other application made under planning legislation where:
- a) it is an application for 10 or more dwellings or non-residential floor space of 1000 sq m or more and more than 15 written representations have been received within the statutory public consultation period raising valid planning considerations that are contrary to officer recommendation, either objecting when the officer recommendation is for approval, or supporting when the officer recommendation is for refusal.
 - b) the application is substantively contrary to a Development Plan site allocation policy or a policy that safeguards a site from inappropriate development and the officer recommendation is to approve;
 - c) the application is submitted by an employee or Member of the Council, or a close relative of an employee or Member of the Council living in the same property (see paragraph 4.3 for definition of a close relative);
 - d) a Member of the Council has a legal interest in the land for which the application relates
 - e) a Member of Council whose ward boundary falls within the 'red line' of a planning application site or other application (or at the discretion of the Chair, an adjacent ward immediately affected by the development) has directed the application be dealt with by the Committee by completing the prescribed member referral form in full and submitting it to the Service Director for Strategic Planning and Infrastructure within the published public consultation period. All such forms must

include what recommendation the member would find acceptable to enable the application to be dealt with as a delegated decision. Please note referrals cannot be made by a Member who has a disclosable pecuniary interest.

- f) the matter is referred to the Committee by the Service Director for Strategic Planning and Infrastructure under one of the following criteria:
- there are finely balanced policy or precedent issues;
 - there are probity issues or public interest reasons for the matter to be determined by the Committee;
 - the matter is an unusual response to a particular set of issues that warrants debate by the Committee.

- 2.2.4 Approve any substantive changes to the terms of planning agreements that have been specifically agreed by the Planning Committee on a previous occasion.

In relation to Highways Matters the Committee will:

2.3.1. Determine applications for Orders to create divert or stop up footpaths or bridleways and applications to modify the definitive map that are either referred by the Service Director of Strategic Planning or Street Services or a Member of the Council whose ward boundary falls within the area covered by the Order. Any referral by a Member of the Council must be made within 21 days from the date of notification of the recommendation.

2.3.2. Determine applications that are referred by either the Service Director for Strategic Planning and Infrastructure or Service Director for Street Services.

3. MATTERS DELEGATED TO OFFICERS

- 3.1 All other non executive functions in respect of planning highways and transport have been specifically delegated to the Director for Place

4. GENERAL

4.1. Substitute Members

Any Member of the Council may act as substitute provided they have undergone the Council's prescribed Member planning training course (as specified in the Planning Committee Code of Good Practice).

- 4.2 Planning Committee Procedures are found in the Planning Committee's Code of Good Practice.

- 4.3** For the purposes of the Planning Committee functions a close relative is defined as: a husband or wife (or civil partner), a son or daughter, a father or mother; or a brother or sister.

Chief Officer Appointments, Appeals and Disciplinary Committees

1. Functions

- 1.1 Undertaking the selection process for the appointment, and formulating recommendations to the Council in relation to:
- (a) the appointment and dismissal of the Head of the Paid Service;
 - (b) the designation of an officer to act as Monitoring Officer and Responsible Finance Officer (Section 151 Officer);
 - (c) the appointment/dismissal of Monitoring Officer and Responsible Finance Officer;
- in accordance with legislation, Council policies, conditions of service and the appropriate procedures set out in the employment standing orders;
- 1.2 Undertaking the selection, appointment and dismissal processes for any staff where so required by law;
- (It should be noted that the Chief Executive as head of paid service, or a person nominated by them, has powers to appoint all other staff).
- 1.3. Hearing and determining any appeals by staff under the Council's approved Human Resources policies and procedures including through any appointed Sub-Committee.
- 1.4 Determining terms and conditions for staff employed on the JNC terms and conditions for Chief Officers.

2. Procedures

- 2.1 The Committees shall be politically balanced and include the relevant Cabinet member when required. The majority of members on the Committee cannot be members of the Cabinet.

When acting as a Disciplinary Committee in respect of a proposal to dismiss the Chief Executive or Section 151 Officer or Monitoring Officer for reasons other than ill health retirement or redundancy the Committee will also include two Designated Independent Persons appointed for this purpose.

- 2.2 A Committee which hears an appeal will not include members of the Committee which made the original decision.

Appointment of substitute members

- 2.3 Any member of the Council may act as substitute on a Committee provided that they have completed the Council's relevant human resources training/briefing.

3 General

The Committees are convened from time to time as required.

Independent Remuneration Panel

I. Functions

The Panel carries out the Council's responsibilities under the Local Authorities (Members Allowances) Regulation 2003 as amended to convene an Independent Panel to make recommendations to the Council about the level of Members Allowances.

Specific Responsibilities

- 2.1 Overall, to recommend the level of allowances to be paid to Members, including special responsibility allowances, pension rights for elected Members and allowances payable to co-opted members.
- 2.2 The Panel will recommend:
 - (a) The amount of basic allowance that should be payable to elected Members;
 - (b) The categories of Members who should receive special responsibility allowances and the amount of such an allowance;
 - (c) The travel and subsistence scheme, the amount of the allowance and how it should be paid;
 - (d) The payment of an allowance for co-opted members and the amount of that allowance;
 - (e) The payment of an allowance in respect of arranging for the care of Members' children and other dependents, the amount of this allowance and the means by which it should be determined;
 - (f) Whether the allowances should be backdated to the beginning of the municipal year;
 - (g) Whether annual adjustments of allowance levels may be made by reference to an index, and, if so, for how long such a measure should run;

Tamar Bridge and Torpoint Ferry and Joint Committee**I FUNCTIONS**

- I.1. Plymouth City Council and Cornwall Council undertake the functions in relation to the Bridge and Ferry that are required by law to be carried out by the two authorities. Any revenue and capital expenditure incurred is to be defrayed and income shared by the two constituent Councils in equal portions.
- I.1 A joint committee of the Authorities has been appointed under the provisions of the Local Government Act of 1972 relating to joint committees:
- I.2 The Councils of the constituent authorities, acting together, are responsible for all the responsibilities for the Tamar Bridge and Torpoint Ferry as set out in the Tamar Bridge Acts 1957, 1979, 1998 which cannot by law be delegated to the Joint Committee. These principally are.
- (a) all matters relating to the discharge of the functions of the Authorities under the Tamar Bridge Act 1957 to 1998 shall stand referred to such joint committee for consideration; those relating to the acquisition, appropriation, leasing or disposal of land;
 - (b) there shall be delegated to such joint committee all the powers of the Tamar Bridge Act conferred upon the Authorities except: those relating to the ceasing to demand and take and recover tolls and those relating to resuming the demanding, taking and recovering of tolls
 - (c) those contained in Part VI (Finance) of the Tamar Bridge Act
- I.3 The Councils of the constituent authorities acting together may make byelaws to:
- (a) prevent injury and damage to the bridge
 - (b) regulate the conduct of all persons using the bridge
 - (c) regulate the traffic along over and under the bridge and also for regulating the use of the bridge and for prohibiting the use thereof in certain cases and by certain engines carriages vehicles and animals or other classes of traffic and for providing that the bridge may be temporarily closed to road traffic for repairs or other emergencies and for ensuring that road traffic shall not be unreasonably delayed
 - (d) prohibit the conveyance upon the bridge of any goods which may in the opinion of the Authorities be injurious to or prejudicially affect the use of the same or the traffic to be carried thereon or endanger the safety of the bridge or the passenger and other traffic carried thereon
 - (e) regulate to the issue and inspection of tickets and collection of tolls

- (f) regulate and control the use of the bridge

2 MATTERS SPECIFICALLY DELEGATED TO EACH COUNCIL

2.1 Each Council will:

- agree the annual budget for the Tamar Bridge and Torpoint Ferry;
- agree any extra spending outside the budget; and
- take decisions to stop demanding tolls or to reinstate the demand for tolls should they have been previously ceased

3 MATTERS SPECIFICALLY DELEGATED TO EACH CABINET:

3.1 Each Cabinet will:

- recommend the annual business plan and budget to Council as part of the budget process;
- recommend extra spending outside the agreed budget to Council;
- appoint a Cabinet members with responsibility, amongst other things, for the Tamar Bridge and Torpoint Ferry;
- take any decisions about the acquisition/disposal of land for the undertaking; and
- approve major items of capital expenditure (as defined by the authorities from time to time) as part of the capital programme in Plymouth and in Cornwall.

4 MATTERS SPECIFICALLY DELEGATED TO THE JOINT COMMITTEE

4.1 The Tamar Bridge and Torpoint Ferry Joint Committee will:

- propose a business plan to Cabinet as part of the annual budget setting process;
- monitor performance of the undertaking against the business plan and recommend variations to the business plan to the Cabinet Members;
- monitor performance of the undertaking to ensure value for money is achieved;
- ensure the management of the Bridge and Ferry accords with proper financial and legal practice appropriate to local authorities;
- make sure proper audit and risk management procedures are in place;
- make sure an appropriate inspection of the Bridge and Ferry takes place on an annual basis; and
- undertake appropriate consultation with key stakeholders.

5 MATTERS SPECIFICALLY DELEGATED TO OFFICERS

5.1 The Strategic Director for Place in Plymouth is authorised to carry out all

other functions in respect of the Tamar Bridge and Torpoint Ferry in accordance with the officer scheme of delegation of functions and in conjunction with the Director for Environment, Planning and Economy in Cornwall.

6. **PROCEDURES**

6.1 The Tamar Bridge and Torpoint Ferry Joint Committee procedures will apply.

Devon Audit Partnership and Joint Committee

1. FUNCTIONS

- 1.1 The Devon Audit Partnership comprises Plymouth City Council Devon County Council and Torbay Council.
- 1.2 The Audit Partnership provides an internal audit function for the three Councils.

2 RESPONSIBILITIES OF THE DEVON AUDIT PARTNERSHIP JOINT COMMITTEE

The Joint Committee will:

- Receive and consider reports from the management board, the head of the internal audit partnership, external audit and the host Council
- Approve the annual accounts of the partnership
- Approve the budget in respect of the audit partnership functions
- Approve the annual work programme in respect of the audit partnership functions
- Approve the appointment and dismissal or removal of the head of the internal audit partnership
- Approve changes to the partnership client base, trading agreements, charging policies and other necessary matters pertaining to the future operations of the partnership
- Resolve any disputes that are still unresolved after reference to the Partnership's management board.

3 MATTERS SPECIFICALLY DELEGATED TO OFFICERS

The Service Director of Finance is authorised to carry out all other functions in respect of the Devon Audit Partnership in accordance with the officer scheme of delegation of functions.

4 PROCEDURES

The Devon County Council procedures apply to meetings of the Committee.

South West Devon Waste Partnership Joint Committee

1 FUNCTIONS

- 1.1 The South West Devon Waste Partnership comprises Plymouth City Council, Devon County Council and Torbay Council.
- 1.2 The purpose of the three authorities in establishing the Joint Committee is to facilitate the joint procurement of, and the subsequent operation and management of, facilities for the treatment and disposal of residual waste in pursuance of the waste disposal functions of the three authorities arising under Section 51 of the Environmental Protection Act 1990.
- 1.3 The functions of the Committee are set out in full in the Committee's Joint working Agreement. (The Joint working Agreement is available on request).

2. DELEGATION TO THE JOINT COMMITTEE

- 2.1 The responsibilities of the Committee are set out in full in the Committee's Joint Working Agreement which is available on request.
- 2.2 The key responsibilities of the Joint Committee are:
All executive functions and powers of each authority as may be necessary, calculated to facilitate, incidental or conducive to the discharge of the joint procurement of, and the subsequent operation and management of, facilities for the treatment and disposal of residual waste in pursuance of the waste disposal functions of the three authorities arising under Section 51 of the Environmental Protection Act 1990.
- 2.3 The South West Devon Waste Partnership has delegated authority from each of the partners to:
 - take any decision where the Lead Officer of any of the appointing authorities has notified the Chair to the Waste Project Executive in writing of that authority's formal objection to the proposed decision of the Chair of the Waste Private Finance Initiative (PFI) project executive in accordance with clause 8.2.7 of Schedule C of the Joint Working Agreement
 - agree all evaluation criteria relating to the project
 - select the preferred bidder

3. MATTERS SPECIFICALLY DELEGATED TO OFFICERS

The Chief Executive of Plymouth City Council in his/her capacity as chair of the Waste PFI project executive is authorised to deal with all other executive functions relating to the partnership in accordance with the officer scheme of delegation of functions.

4. PROCEDURES

- 4.1 Schedule C of the Committee's Joint Working Agreement apply. (The Joint Working Agreement is available upon request)
- 4.2 Standing Orders for Contracts, Financial Regulations and Officer Employment Procedure Rules
- 4.3 The Joint Committee shall operate under the Standing Orders for Contracts, Financial Regulations and Officer Employment Procedure Rules of Plymouth City Council.
- 4.4 **Quorum**

The quorum of the South West Devon Waste Partnership Joint Committee will be no less than three Members.

Health and Well Being Board

I. FUNCTIONS

The council's function relating to its Health and Wellbeing Board under Part 5 of the Health and Social Care Act 2012 as amended (2.2 below).

2. RESPONSIBILITIES OF HEALTH AND WELLBEING BOARD

- 2.1 The purpose of the Board is to promote the health and wellbeing of all citizens in the City of Plymouth. The Board has three principles of working cooperatively which are to:
- Work together with all city partners and with those we serve to take joint ownership of the sustainability agenda
 - Ensure systems and processes will be developed and used to make the best use of limited resources, every time
 - Ensure partners move resources – both fiscal and human to the prevention and health and wellbeing agenda
- 2.2 The Board will identify and develop a shared understanding of the needs and priorities of local communities in Plymouth through the development of the Plymouth Joint Strategic Needs Assessment (JSNA). Specifically, the Board will ensure that:
- A Joint Health and Wellbeing Strategy for Plymouth is prepared and published to ensure that the needs identified in the JSNA are delivered in a planned, coordinated and measurable way.
 - The Plymouth JSNA is based on the best evidence and data available so that it is fit for purpose and reflects the needs of local people, users and stakeholders
 - The JSNA drives the development of the Joint Plymouth Health and Wellbeing Strategy and influences other key plans and strategies across the city
 - Plymouth City Council, NEW Devon Clinical Commissioning Groups and NHS Commissioning Board Area Teams demonstrate how the JSNA has driven commissioning decisions
- 2.3 The Board will:
- Develop an agreed set of strategic priorities to focus both collective effort and resources across the city
 - Seek assurance that commissioners plans are in place to deliver the Board's strategic priorities and outcomes
 - Review the commissioning plans for healthcare, social care and public health to ensure that they have due regard to the Joint Plymouth Health and Wellbeing Strategy and take appropriate action if they do not
 - Ensure that appropriate structures and arrangements are in place to

ensure the effective engagement and influence of local people and stakeholders

- Represent Plymouth in relation to health and wellbeing issues across the sub regional and at national level
- Work closely with Plymouth Healthwatch ensuring that appropriate engagement and involvement with existing patient and service user involvement groups takes place
- Retain a strategic overview of the work of commissioners in the city
- Support joint commissioning of NHS, social care and public health services and identify those service areas in Plymouth where additional improvements in joint commissioning could achieve the Board's priority outcomes
- Recommend the development of aligned or pooled budgets and encourage partners to share or integrate services where this would lead to efficiencies and improved service delivery

3. MATTERS DELEGATED TO OFFICERS

- 3.1 The Strategic Director for People is authorised to carry out all other functions in respect of health and wellbeing in accordance with the officer scheme of delegation of functions.

4. GENERAL

Membership

- 4.1 The Council's Health and Wellbeing Board is comprised of:

A core membership being -

- The Cabinet Member responsible for Health and Adult Social Care
- The Cabinet Member responsible for Children and Young People
- The lead opposition member for health
- The Strategic Director of Public Health
- The Strategic Director for People
- The Service Director for Community Connections
- One representative from the Clinical Commissioning Groups
- One representative of the local Healthwatch

Reflecting the approach to engage with customers and other stakeholders over the city's key priorities, the Board will co-opt additional partners which it considers are most likely to be able to work together to deliver the vision. The Board will make recommendations to the city council for appointments to the Board.

- 4.2 The Health and Wellbeing Board is a committee of the council under the Local Government Act 1972. The Local Authority (Public Health, Health and Wellbeing and Health Scrutiny) Regulations 2013 have dis-

applied aspects of the Act which have been incorporated into these terms of reference.

- 4.3 The Board will act in accordance with the council constitution unless this conflicts with law.

4.4 Meetings

The Health and Wellbeing Board will meet four times per year which will be reviewed after 12 months. The date, time and venue of meetings will be fixed in advance by the Board and an annual schedule of meetings will be agreed by council. Additional meetings may be convened at the request of the Chair. Meetings will be webcast and utilise social media tools to allow real time interaction with the meeting.

4.5 Voting

In principle, decisions and recommendations will be reached by consensus. In exceptional circumstances and where decisions cannot be reached by a consensus of opinion and/or there is a need to provide absolute clarity on the will of the Board to executive bodies, voting will take place and decisions will be agreed by a simple majority of all members (councillors and co-opted members) present.

Where there are equal votes the Chair of the meeting will have the casting vote.

4.6 Declaration of Interests

Members of the Health and Wellbeing Board will promote and support high standards of conduct and as such will be subject to the council's code of conduct. Members of the Board must, before the end of 28 days beginning with the day on which they become a member of the Board, notify the authority's monitoring officer of any disclosable pecuniary interests. Notification of changes to declared interests must be made to the authority's monitoring officer within 28 days of the change taking effect.

4.7 Quorum

A quorum of one third of all members will apply for meetings of the Health and Wellbeing Board including at least one elected councillor from Plymouth City Council.

4.8 Access to Information/ Freedom of Information

Health and Wellbeing Board meetings will be regarded as a council committee for Access to Information Act purposes and meetings will be open to the press/public. Freedom of Information Act provisions

shall apply to all business.

4.9 Papers

The agenda and supporting papers will be in a standard format and circulated at least five clear working days in advance of meetings. The minutes of decisions taken at meetings will be kept and circulated to partner organisations as soon as possible and will be published on the city council web site.

4.10 General Rules

The Health and Wellbeing Board will adhere to the Rules of Debate and General Rules Applying to Committees. Where there are gaps in procedure the Chair will decide what to do.

General Rules Applying to Committees

1. THE EXTENT OF THESE RULES

These procedures apply to the:

- Appointments panel
- Employment appeals panel
- Audit and governance committee
- Chief officers committees
- Licensing committee
- Licensing sub-committee
- Taxi licensing sub-committee
- Planning committee
- Scrutiny Committees

2. APPOINTMENT OF COMMITTEES

Council is responsible for appointing and dissolving committees which undertake council functions and for agreeing their membership and roles, unless the law says otherwise.

There must always be at least one scrutiny committee, an independent remuneration panel and a committee which carries out responsibilities under the Licensing Act 2003 and the Gambling Act 2005.

Committees may appoint sub-committees and working groups and stipulate membership requirements.

3. CONDUCT OF DEBATE

The Chair, in line with guidance and protocols, will ensure all members are heard and that the meeting is conducted efficiently.

4. NOTICE OF AND SUMMONS TO MEETINGS

The public will be notified of the time and place of any meeting in accordance with the [Access to Information Rules](#). At least five clear working days before a meeting, Governance Advisors will send a summons electronically to every member of the committee. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

5 CHAIR OF MEETING

The person presiding at a meeting of a Council committee will exercise any power or duty of the Chair.

6. QUORUM AND SUBSTITUTES

- 6.1 Members of the committees can send other Councillors (who must belong to the same political group) to the meeting as substitutes, unless the law doesn't allow it. Substitutes have the powers of an ordinary member of the committee.
- 6.2 Substitutions must be for a whole meeting. A member cannot take over from their substitute or hand over to them part of the way through.
- 6.3 If a member wants to send a substitute, they must tell the Monitoring Officer before the meeting.
- 6.4 Substitutes cannot send substitutes of their own.

Committee	Quorum	Substitutes	Relevant training required?
Audit and Governance Committee	Four	Any member	✓
Chief Officers Committees	Three	Any member	✓
Licensing committee	Five	None	✓
Licensing sub-committee	Three	Any member of the general licensing committee	✓
Taxi licensing committee	Three	Any member	✓
Planning committee	Three	Any member	✓
Joint committees			
Committee	Quorum	Substitutes	Relevant Training required?
South West Devon Waste Partnership	Three (one from each authority)	Any Cabinet member	
Tamar Bridge and Torpoint Ferry Joint	Four (two from each authority)	Named substitutes	

Committee		allowed
Devon Audit Partnership	3 members including one from each partner authority	Any member

VACANCIES ON COMMITTEES

Procedure when a Councillor resigns from a committee

- 7.1 A Councillor can resign from a committee by writing to the Monitoring Officer or their deputy. The political groups can nominate a replacement who will take up their position immediately. Their replacement will be confirmed at the next Council meeting

Procedure when someone stops being a Councillor

- 7.2 If someone stops being a Councillor, the political groups can nominate a replacement who will take up their position immediately. The replacement committee member(s) will be confirmed at the next Council meeting.

8. CHAIR AND VICE-CHAIR

- 8.1 Election of chair and vice-chair

The Council will elect a chair and a vice-chair for each committee at the annual meeting.

- 8.2 Absence of the Chair and Vice Chair

If the chair and vice-chair are absent, a committee can elect another Councillor to chair the meeting. If the chair or vice-chair arrives part of the way through the meeting, the acting chair will finish the item of business being conducted; the Chair or Vice Chair will then conduct the remaining business.

- 8.3 Resignation of the Chair and Vice Chair

If a Councillor wants to resign as chair or vice-chair, they must write to the Monitoring Officer. A new chair or vice-chair will be elected at the next ordinary Council meeting.

9. COMMITTEE MEETINGS

- 9.1 Cancelling a meeting

If a committee has no business at one of its fixed meetings, the Monitoring Officer or their deputy can cancel it after consulting the chair.

9.2 Extraordinary Meetings

The Monitoring Officer or their deputy can arrange a special meeting after consulting the chair. Special meetings will only deal with the business they have been called to deal with.

9.3 Speaking on an agenda item

Where the press and the public are not excluded, any member of the public and any city Councillor can speak on any agenda item for up to five minutes if the chair agrees (unless the law, this constitution, the planning code of practice or the licensing procedure do not allow it).

9.4 Minutes

At the first meeting when the minutes are available, the chair will move that the minutes are correct and sign them. The committee will not discuss anything arising from the minutes.

9.5 Planning Committee

The planning committee has adopted a code of practice which provides details on public speaking and the operation of the committee.

9.6 Licensing committee and licensing sub-committee

These Committees follow the procedures in the Licensing Act 2003 and the Gambling Act 2005, as amended.

9.7 Co-opted members – voting rights

Co- opted members will not normally have voting rights apart from the statutory co- opted members of the Overview and Scrutiny Committees.

9.8 Gaps in these procedures

If there is a gap in these procedures the Chair will decide what to do.

Audit and Governance Committee



Date of meeting:	16 January 2024
Title of Report:	Electoral Cycle Consultation
Lead Member:	Sarah Allen (Chair of Audit and Governance Committee)
Lead Strategic Director:	Giles Perritt (Assistant Chief Executive)
Author:	Giles Perritt, Assistant Chief Executive
Contact Email:	giles.perritt@plymouth.gov.uk
Your Reference:	
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of Report

- 1.1. The Council agreed at its meeting of 21 November 2022 that the Audit and Governance Committee would oversee and agree the design and implementation of a public engagement consultation exercise on the issue of moving from the current electoral cycle (of electing by 'thirds') to 'whole council' elections once every four years.
- 1.2. This report describes the progress made in this work, and proposes a recommendation to Council about the timing of the consultation in relation to the upcoming Local Government Boundary Commission for England electoral review.

Recommendations and Reasons

That Audit and Governance Committee recommends to full council: –

1. That a consultation exercise on the Council's electoral cycle is undertaken to run concurrently with Local Government Boundary Commission for England proposals for revised ward names, numbers and boundaries between July and September 2024
2. Confirms the consultation questions agreed by the Audit and Governance Committee of 20 March 2023

Reason: The overall number of Councillors and any revised Ward boundaries will be a consideration when deciding the frequency of elections. Public awareness and interest in electoral issues will be heightened by the publicity and profile of the electoral review, which may result in more representative and informed engagement.

Alternative options considered and rejected:

Carrying out a consultation exercise in advance of the electoral review: this would either have to take place prior to the beginning of the pre-election period in March, or immediately after the local elections in May 2024. Both of these periods clash with other key activities, the former with budget and Council tax setting, and the latter with post-election administration.

Relevance to the Corporate Plan and/or the Plymouth Plan:

Sign off:

Fin	DJN. 23.24. 181	Leg	LS/00 0010 75/A C/11/ 1/24	Mon Off	Click here to enter text.	HR	Click here to enter text.	Asset s	Click here to enter text.	Strat Proc	Click here to enter text.
<p>Originating Senior Leadership Team member: Giles Perritt, Assistant Chief Executive</p> <p>Please confirm the Strategic Director(s) has agreed the report? Yes</p> <p>Date agreed: 11/01/2024</p>											

Plymouth City Council Electoral Cycle Briefing Report

1. Chronology and context

The Council, at its meeting of 21 November 2022, agreed that a public consultation be undertaken using powers under Section 116 of the Local Government Act 2002 between June and August 2023 on the issue of moving from the current electoral cycle of elections to 'whole council' elections once every four years. The Audit and Governance Committee was tasked with overseeing and agreeing the design and implementation of the consultation.

In January 2023, the Audit and Governance Committee established a Task and Finish group to undertake the design and implementation of the consultation. The group reported back to the Audit and Governance Committee in March 2023, and a methodology was developed agreed, along with the following question:

Which option would you prefer for Plymouth residents to elect their councillors?

- Change to 'whole Council elections'
- Keep the current system
- I have no preference

Final approval of the communications approach was delegated to the task and finish group ahead of the launch of the consultation.

At its meeting of 25 July 2023, the Audit and Governance Committee decided that it would be beneficial to liaise with colleagues at Southampton City Council, which had recently undergone an Electoral Review, and had also considered its electoral cycle, prior to agreeing the timetable for Plymouth's consultation. A series of meetings then took place with the team at Southampton, which have informed the Council's approach to the upcoming electoral review.

2. Engagement timing and implications

The timing of the consultation is the remaining issue to be resolved. The Local Government Boundary Commission for England has expressed a preference that this is resolved prior to the beginning of the electoral review, but this is not a requirement. In the absence of a resolved position, the Commission would be likely to propose a uniform pattern of three member wards for Plymouth, allowing for elections by thirds to continue. Legislation dictates that, except in exceptional circumstances, Councils who elect by thirds will have numbers of Councillors per electoral ward that are divisible by three. It is likely that the only circumstances in which Plymouth would retain two member wards, would be to resolve to change its electoral cycle to all out elections every four years, and to confirm this prior to the electoral review.

Benefits of undertaking an engagement exercise about electoral cycles during rather than prior to the electoral review include:

- The overall number of Councillors proposed for Plymouth will be known, which will inform overall consideration of the implications of electoral cycle choices.
- Public awareness of democratic arrangements will be raised by the Local Government Boundary Commission for England's consultation proposals regarding electoral ward boundaries, names and sizes.

It is important to understand that, in the absence of a Council decision (which will need a 'two thirds' majority) to change the city's electoral cycle to all out elections every four years, the Local

Government Boundary Commission for England is likely to recommend a uniform pattern of three member electoral wards for the city.

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City Council



Date of meeting:	29 January 2024
Title of Report:	Appointment of Statutory Officers (Monitoring Officer and s151 Officer)
Lead Strategic Director:	Tracey Lee (Chief Executive)
Author:	Annie Walker
Contact Email:	Annie.walker@plymouth.gov.uk
Your Reference:	Click here to enter text.
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of Report

This report provides an update on the permanent appointment of the Head of Legal Services; seeks a recommendation for the designation of the Monitoring Officer and the extension of the interim arrangements for the Section 151 Officer (Service Director for Finance).

Monitoring Officer

Council will note that following a recruitment process for a permanent appointee to the role of Head of Legal Services, the Chief Officer Appointments Panel agreed, on 7 November 2023, to appoint Elizabeth Bryant. Ms Bryant is due to start in post as Head of Legal Services on Monday 4 March 2024.

It is a legal requirement that the Council have an appointed Monitoring Officer. On this basis approval from Council is sought to designate the permanent Head of Legal Services as Monitoring Officer with effect from their commencement of employment with the Council.

Alison Critchfield (Senior Lawyer, Commercial Projects) who has been undertaking the temporary role of Acting Head of Legal Services will continue to act as Monitoring Officer until that date.

Section 151 Officer

Council will note David Northey was confirmed as the Council's interim Section 151 Officer and Service Director for Finance at the meeting of 30 September 2022, with effect from 3 October 2022. The interim contract arrangements were initially due to end on the 30 September 2023, but following two unsuccessful attempts to permanently recruit to the role of Director of Resources, has subsequently been extended to 31 March 2025.

It is a legal requirement that the Council have an appointed s151 Officer. On this basis approval from Council is sought to extend the designation of s151 Officer to David Northey until the 31 March 2025.

Legal and governance considerations

Section 5(1)(a) of the Local Government & Housing Act 1989 and Section 151 of the Local Government Act 1972 requires that officers are appointed to administer the financial and legal affairs of the Council. This power may only be exercised by the Full Council as a matter of law and 10.2.2 of the City Council's constitution.

Recommendations and Reasons

It is recommended that Council approves:

1. The designation of Elizabeth Bryant, Head of Legal Services as the Monitoring Officer in accordance with section 5 of the Local Government and Housing Act 1989 from the first day of service with the Council.
2. Approves the extension of the designation of David Northey as the Service Director for Finance (Section 151 Officer) to 31 March 2025.

Alternative options considered and rejected

The Monitoring Officer and Section 151 Officer are statutory chief officer roles and it is therefore it is a legal requirement to designate officers to undertake the roles.

Relevance to the Corporate Plan and/or the Plymouth Plan

The Corporate Plan outlines the strategic direction of the Council and recommendations within this report align to this

Implications for the Medium Term Financial Plan and Resource Implications:

Chief Officer roles are permanent positions with established budget contained within the Medium Term Financial Plan, and costs arising from the recommendations of this report can be contained within budget

Financial Risks

None as a direct result of this report

Carbon Footprint (Environmental) Implications:

None as a direct result of this report

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

The Monitoring Officer) holds statutory responsibility and is key to delivering priorities in relation to service delivery and ensuring the Council's statutory duties, responsibilities and accountabilities are discharged. Any recruitment and selection processes will be undertaken with reference to the Council's established procedures and relevant legislation

Appendices

**Add rows as required to box below*

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7

Background papers:

Title of any background paper(s)	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
	1	2	3	4	5	6	7

Sign off:

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13. Originating Senior Leadership Team member: Tracey Lee											
Please confirm the Strategic Director(s) has agreed the report? Yes											
Date agreed: 17/01/2024											

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CITY COUNCIL

Date of meeting:	29 January 2024
Title of report:	Pay Policy Statement 2024-25
Lead Member:	Councillor Sue Dann
Lead Strategic Director:	Tracey Lee (Chief Executive)
Author:	Chris Squire (Service Director for HROD)
Contact email:	chris.squire@plymouth.gov.uk
Your reference:	
Key decision:	No
Confidentiality:	Part I - Official

Purpose of Report

Under Section 38(1) of the Localism Act 2011 the Council is required to prepare a Pay Policy Statement by 31 March each year, for the following financial year, which is approved by the City Council. The provisions of the Act do not apply to local authority schools. This includes remuneration and policies for the highest paid staff and the lowest paid employees. To address low pay, the Council introduced the principles of the Real Living Wage, by adding a discretionary, non-contractual market supplement in 2014.

Plymouth City Council continues to adopt the principles of the Real Living Wage, with the lowest paid worker (excluding apprentices) earning £23,151 per FTE (£12.00 per hour) from 1 April 2024. National pay negotiations for 2024/25 have not commenced at this time. The ratio between the lowest paid and highest paid employee will be 1:7.5 from 1 April 2024 (pay award pending), which is a reduction on last year (1:7.99) and a continued reduction from 2012 when the ratio was 1:14.

Approved pay policy statements must be published on the Council's website as soon as reasonably practicable after being approved. The Act also requires that the Council includes its approach to the publication in its pay policy statement, and access to information relating to the remuneration of Chief Officers.

The Pay Policy Statement contains links to the published Draft Statement of Accounts and other remuneration data on the Council's website. Once in force the statement must be complied with, although it may be amended by Full Council during the financial year.

The Pay Policy Statement, which is prescribed in terms of content, sets out the Council's policies in respect of remuneration. Delegated authority is given to the Chief Officer Appointment Panel (COAP) to adjust pay for Chief Officers (as defined in the Localism Act) should the need arise, as postholders are appointed on a spot salary which periodically can be subject to change within the grade band. Any proposal outside of agreed pay bands for Chief Executive, Strategic Directors or Service Directors will be subject to recommendation by COAP to a meeting of Full Council.

This annual pay policy statement has been discussed with the trade unions.

Recommendations and Reasons

The City Council approves the Pay Policy Statement for 2024/25

The policy sets out the Council's policies in respect of remuneration and is a statutory requirement.

Alternative options considered and rejected

None, this statement is a statutory requirement.

Relevant to the Corporate Plan and/or the Plymouth Plan

The Council's Pay Policy Statement is a statutory requirement, which supports the council's values.

Implications for the Medium Term Financial Plan and Resource Implications

There is a provision in the 24/25 draft budget for the annual pay award.

Financial Risks

Total cost of pay awards for 2024/25 is unknown as the pay negotiations have not yet commenced. The LGPS employer contribution is now set at 19%.

Carbon Footprint (Environmental) Implications

There are no implications.

Other Implications: eg: Health & Safety, Risk Management, Child Poverty

* When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.

None arising directly from this report.

Appendices

Ref	Title of Appendix	Exemption Paragraph Number (if applicable)						
		1	2	3	4	5	6	7
A	Pay Policy Statement 2024/25							
B	Equalities Impact Assessment							

Background papers

* add rows as required to box below

Please list all unpublished, background papers relevant to the decision in the table below.

Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based

Title of Appendix	Exemption Paragraph Number (if applicable)						
	If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.						
	1	2	3	4	5	6	7

Sign off

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Originating Senior Leadership Team Member: Tracey Lee (Chief Executive)											
Please confirm the Strategic Director(s) has agreed the report?											
Date agreed: 9/1/24											
Cabinet Member approval: Cllr Sue Dann											
Data approved: 13/12/23											

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PAY POLICY STATEMENT 2024/25

HROD



I CONTEXT

- 1.1 Plymouth City Council wishes to provide a transparent and fair approach to rewarding our employees through our pay, terms and conditions and benefits offered to our employees. The Council's pay and grading arrangements are underpinned by the principles of fairness and equality set out in the Equality Act 2010, the Public Sector Equality Duty and associated codes of practice.
- 1.2 The Council's pay arrangements and policies reflect the need to recruit, retain and motivate skilled and committed employees to ensure high levels of performance, balanced with accountability to the public purse. They also recognise the importance of maintaining an approach to pay and reward that supports the high levels of flexibility and adaptability essential to the effective delivery of a diverse range of services in a challenging and rapidly changing environment.
- 1.3 The [People Strategy](#) enables our workforce to be adaptable and agile for the challenges of the future - "Our people will feel welcome, aspire to be the best, we will attract and keep the right people and we will be well led".
- 1.4 The Council is required to set out a Pay Policy Statement under sections 38 and 39 of the Localism Act 2011. The Act prescribes the information and format required for the Pay Policy Statement.
- 1.5 The statement must be approved by a resolution of the City Council before it comes into force for the relevant financial year. Amendments may be made by resolution of Full Council during the financial year.
- 1.6 When approved by the Council, this policy statement will come into immediate effect for the 2024/25 financial year and will be subject to review again for 2025/26 in accordance with the relevant legislation prevailing at that time.
- 1.7 The Chief Executive and Chief Officers are employed under the JNCs for Chief Executives, Chief Officers and NHS terms and conditions respectively. In addition, as a broad principle, for the Chief Executive and Chief Officers, the Council adopts the terms and conditions of employment that apply to NJC staff (Green Book) and the local variations as set out in the Plymouth Book.
- 1.8 Under the Council's Standing Orders and Constitution, we have set out a requirement for all posts to be fairly evaluated to determine their salary levels within our agreed structures. All staff must be appointed on merit, through fair, transparent and objective processes.
- 1.9 The Council's Chief Executive, as the Head of Paid Service, is responsible for ensuring the Council meets its duties for appointment on merit, the terms and conditions of employment, compliance with the Council's Standing Orders for the appointment and remuneration of staff and with the requirements set out in the Local Government and Housing Act 1989. The Head of Paid Service (Chief Executive) is accountable to the Council for the discharge of their duties.

- 1.10 For the purposes of this Pay Policy Statement, all references to statutory and non-statutory Chief Officers (as defined in the Localism Act (Section 43(2)) refers to employees on JNCs for Chief Executives and Chief Officers and NHS terms and conditions.

2 INFORMATION

- 2.1 The Council's Management Structure is set out within the Articles of the Constitution of the Council and this is updated with any changes to statutory posts.
- 2.2 All statutory roles are designated within the Chief Officer structure.
- 2.3 Chief Officer bandings for the Senior Leadership Team are determined using the HAY Job Evaluation criteria.
- 2.4 The Council's NJC pay and grading structure is set out at [Appendix One](#).

3 PAY RELATIVITIES WITHIN THE AUTHORITY

- 3.1 The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton Report on Fair Pay. A public sector manager cannot earn more than 20 times that of the lowest paid person in the organisation. In addition, the Government's Code of Recommended Practice on Data Transparency recommends the publication of the ratio between highest paid salary and the median average salary of the whole of the Authority's workforce.
- 3.2 Plymouth City Council continues to adopt the principles of the Real (previously Foundation) Living Wage, with the lowest paid worker (excluding apprentices) earning £23,151 per FTE (£12.00 per hour) from 1 April 2024, an increase of 41 pence per hour from the current lowest pay scale of £11.59 per hour (scp 2). National pay negotiations for 2024/25 are yet to commence.
- 3.3 From 1 April 2023, the lowest paid workers were defined as those on spinal column point 2 of Grade A (removal of scp 1), which is now the Council's lowest NJC pay grade.
- From 1 April 2024, the remuneration of the lowest paid employee on Grade A (now scp 2) is £22,366 (£11.59 per hour) per FTE until the 2024 pay award is known. Until then, the council will top up the lowest paid employee by 41 pence per hour with a non-contractual, discretionary top up to £23,151 (£12.00 per hour).
- 3.4 The ratio between the lowest paid (£23,151) and highest paid (£173,828) employee will be 1:7.5 from 1 April 2024 (pay award pending), which is a reduction on last year (1:7.99) and a continued reduction from 2012 when the ratio was 1:14.
- 3.5 The ratio between the median full time equivalent earnings (excluding schools) and the chief executive is 1:5.74 (calculation made at 4 December 2023).
- 3.6 The Council evaluates Chief Officer roles through a defined evaluation method (HAY) to ensure parity and consistency of evaluation within the Council's pay and grading structures.
- 3.7 Senior officer posts outside of the Chief Officer Structure, but earning in excess of £50,000 are published as part of the Council's access to public information within the annual

accounts. The information is contained within the [latest published accounts](#) on the council's website.

4 CHIEF OFFICER PAY

4.1 This section sets out the Council's policy in relation to Chief Officer remuneration and benefits as set out in the Localism Act 2011, which is inclusive of the Head of the Paid Service in the definition of Chief Officer.

4.2 Levels and elements of remuneration for each Chief Officer:

4.2.1 Each Chief Officer will receive a basic salary as defined by the Council's pay and grading structures commensurate with their levels of responsibility.

4.2.2 Each Chief Officer role will be graded using the HAY Job Evaluation methodology (as well as the market) based on the published role profiles and organisational structures.

4.2.3 Each Chief Officer will receive the same local terms and conditions of employment as set out in the Plymouth Book for NJC (Green Book) employees, unless there are different provisions in the JNC for Chief Officers.

4.3 Recruitment and remuneration on engagement of Chief Officer.

4.3.1 Chief Officers will be remunerated within an evaluated banding for the role.

4.3.2 The appointment and remuneration of Chief Officers (Head of Paid Service, Strategic Directors, Assistant Chief Executive and Service Directors) is determined by Members through the Chief Officer Appointments Panel, except where there is specific delegation otherwise through Council.

4.4 Increases and additions to remuneration for each Chief Officer

4.4.1 The Council, through the Chief Officer Appointment Panel, will review each role profile and remuneration of Chief Officers prior to any recruitment or at the creation or substantive change to the existing role, or in any such circumstances as the Panel deem appropriate.

4.4.2 Increases to pay for Chief Officers on JNCs for Chief Executive and Chief Officers will occur through the national pay awards or the Chief Officer Appointment Panel.

4.4.3 Chief Officers are appointed to a salary within a grade range.

4.5 Performance-related pay (PRP) for Chief Officers

There is no performance-related pay or bonus scheme for Chief Officers. Chief Officers are subject to an annual performance review.

4.6 Chief Officer pay on termination of contract or end of office

4.6.1 Chief Officers will receive their contractual entitlement for termination payments. These entitlements are the same for NJC staff (Green Book). Where the Council is terminating the contract of employment, pay in lieu of notice (PILON) or paid leave may be granted dependent on the circumstances by the Service Director for HROD

- 4.6.2 Redundancy pay for Chief Officers is calculated at the statutory minimum.
- 4.6.3 Chief Officers may only be dismissed for reasons of ill health, redundancy or by the Chief Officer Dismissals Panel.
- 4.6.4 Any payments will be compliant with legislation.

4.7 Benefits in Kind

Chief Officers do not receive any benefits in kind. Any benefits, gifts or hospitality must be properly authorised and recorded in accordance with the Officer's Code of Conduct.

4.8 Charges, fees and professional registrations

Professional fees and charges will be made on behalf of statutory officers and deputy statutory officers in respect of their requirement to be registered to practice with the relevant body.

4.9 Increases and enhancement to pension entitlement

- 4.9.1 The Council's Chief Officers are entitled to become members of the Local Government Pension Scheme (LGPS) or NHS Pension Scheme. Payments and entitlements are subject to LGPS Regulations or NHS Pension Scheme.
- 4.9.2 The Council does not enhance pensions or provide added years to Chief Officers beyond their basic entitlements.
- 4.9.3 Pension strain costs are borne by the Authority on the redundancy of a Chief Officer in line with all other employees. The Council policy limits the maximum cost of redundancy and pension strain to a maximum of three times the annual salary for payback or complies with legislation at the time. Any situation likely to exceed this amount will be resolved by Full Council or delegated to the Council's Chief Officer Appointments Panel at the point of dismissal depending on the necessary level of approval.

4.10 Other amounts payable

The award of other payments within the Council's pay policies will be agreed with the Chief Officer Appointments Panel and reported in the Statement of Accounts.

4.11 Chief Officer Policies

Policies adopted for application to the NJC staff (Green Book) will apply to Chief Officer with the exception of matters related to non-executive functions of the Council in relation to Chief Officers such as appointment, investigations and disciplinary action, employment appeals and dismissal.

4.12 Terms and conditions

Chief Officer terms and conditions will mirror those for NJC staff (Green Book). No more or less favourable terms or treatment shall be afforded to Chief Officers in respect of terms and conditions of employment.

4.13 Superannuation (Employer's pension contribution)

- 4.13.1 The rate of superannuation contributions is determined by the Local Government Pension Scheme Regulations or NHS Pension Scheme.
- 4.13.2 Superannuation payments are made by the employer into the Local Government Pension Scheme (LGPS)/NHS Pension Scheme. The rate of contribution is defined by the LGPS and is applicable to all employees (including chief officers). The latest Local Government Pension Scheme Regulations 2014 were introduced from 1 April 2014. There will be 9 employee contribution bandings between 5.5% and 12.5%. The LGPS employer contribution is 19% from 1 April 2023. The employer contribution for the NHS Pension Scheme is currently 20.6%.

4.14 Returning Officer Fees

The designation and duties of the Returning Officer are independent of the Council. Officers undertaking these duties may claim for the appropriate fees. The Council will designate the officer for these purposes.

5 STAFFING RESOURCES

5.1 The Council uses the following different staffing resources:

- a) Permanent staff on the establishment
- b) Temporary fixed term contracts to fill posts on the establishment
- c) Interims employed through service contracts to fill posts on the establishment
- d) Interims where there is no established post. For example, where temporary specialist skills are needed to undertake a time limited complex project

6 REMUNERATION OF INTERIM AND TEMPORARY STAFF

When interim staff are required, the costs of these are subject to competitive marketplace processes and are compliant with IR35 legislation. HROD officers are involved in all such employment arrangements.

7 CHIEF OFFICER APPOINTMENTS PANEL

- 7.1 The Chief Officer Appointments Panel has responsibility for the appointment and remuneration of Chief Officers (as defined by the Localism Act) except where there is specific delegation otherwise through Council. The Council will aim to pay for these services at a rate as close as possible to total employment costs of directly employed staff performing a comparable role, given prevailing market conditions.
- 7.2 Where the Chief Officer Appointments Panel makes a temporary or interim appointment to an established post, then the appointing person or body will have discretion to settle remuneration in line with current market factors.

7.3 For other posts where the Council requires an interim resource, which is not a Chief Officer, which may or may not be on the establishment, the Council will aim to pay for these services at a rate of pay as close as possible to total employment costs of directly employed staff performing a comparable role, given prevailing market conditions. However, the appointing person will have discretion to settle salary or fees in line with current market factors. Any such arrangements require authorisation from the Head of Paid Service, the Service Director for HROD, and the Service Director for Finance.

8 CONTRACT FOR SERVICES

8.1 Where interim resources are determined to be required for a specific role within the Council that cannot be met through the existing establishment, a procurement process is followed to secure the relevant services. Typically sourcing is carried out through compliant frameworks or tendered in accordance with Contract Standing Orders. Procurement Officers are fully involved in these processes.

8.2 Unlike staff employed under contracts of employment, the relevant guidance from the Department for Communities and Local Government does not require such appointments to be approved by Council. However, where such posts are classified as Chief Officers for pay policy purposes, those posts should appear in the Statement of Accounts. To ensure that the Council is open and transparent it is proposed to provide details of any such contract where the daily rate equivalent paid by the Council to the contractor (and excluding procurement costs) exceeds £500 per day for duration of more than three months.

9 PUBLICATION

9.1 Upon approval by the Council, this statement will be published on the Council's Website and will also be available in additional formats by request.

9.2 Chief Officer remuneration (actual payments) will be reported in the Council's Annual Statement of Accounts.

9.3 Payments in respect of the use of interim management services are also available on the council website, where the daily rate equivalent paid by the Council exceeds £500 per day for more than a period of three months. These payments include all agency fees, and exclude VAT.

9.4 In addition, for employees where the full time equivalent salary is £50,000 or more, excluding employer superannuation contributions, the Council's Annual Statement of Accounts will include the number of employees in bands of £5,000.

9.5 The Annual Statement of Accounts can be found on the Council website [here](#).

APPENDIX ONE

GRADE	SCP	Salary	Hourly rate
A			
	2	£22,366.00	£11.59
B	3	£22,737.00	£11.79
	4	£23,114.00	£11.98
C	5	£23,500.00	£12.18
	6	£23,893.00	£12.38
	7	£24,294.00	£12.59
D	8	£24,702.00	£12.80
	9	£25,119.00	£13.02
	11	£25,979.00	£13.47
	12	£26,421.00	£13.70
E	14	£27,334.00	£14.17
	15	£27,803.00	£14.41
	17	£28,770.00	£14.91
	19	£29,777.00	£15.43
F	20	£30,296.00	£15.70
	22	£31,364.00	£16.26
	23	£32,076.00	£16.63
	24	£33,024.00	£17.12
G	25	£33,945.00	£17.60
	26	£34,834.00	£18.06
	27	£35,745.00	£18.53
	28	£36,648.00	£19.00
H	29	£37,336.00	£19.35
	30	£38,223.00	£19.81
	31	£39,186.00	£20.31
	32	£40,221.00	£20.85
I	33	£41,418.00	£21.47
	34	£42,403.00	£21.98
	35	£43,421.00	£22.51
	36	£44,428.00	£23.03
I	37	£45,441.00	£23.55
	38	£46,464.00	£24.08
	39	£47,420.00	£24.58
	40	£48,474.00	£25.13

GRADE	SCP	Salary	Hourly rate
J	41	£49,498.00	£25.66
	42	£50,512.00	£26.18
	43	£51,515.00	£26.70
	44	£52,554.00	£27.24
	45	£53,610.00	£27.79
	46	£54,670.00	£28.34
K	47	£55,750.00	£28.90
	48	£56,816.00	£29.45
	49	£57,861.00	£29.99
	50	£59,025.00	£30.60
	51	£60,072.00	£31.14
L	52	£61,133.00	£31.69
	53	£62,182.00	£32.23
	54	£63,234.00	£32.78
	55	£64,278.00	£33.32
	56	£65,336.00	£33.87
M	57	£66,728.00	£34.59
	58	£68,149.00	£35.32
	59	£69,600.00	£36.08
	60	£71,082.00	£36.84
	61	£72,596.00	£37.63
N	62	£74,143.00	£38.43
	63	£75,722.00	£39.25
	64	£77,335.00	£40.08
	65	£78,983.00	£40.94
	66	£80,664.00	£41.81

Notes:

1. SCP 10,13,16,18 and 21 are not used by Plymouth City Council as part of the 2019 assimilation process.
2. Plymouth City Council follows the principles of the Real Living Wage.
3. From 1 April 2024 the Real Living Wage is £12.00 per hour.
4. Hourly rate calculated by dividing annual salary by 52.143 weeks (which is 365 days divided by 7) and then divided by 37 hours (the standard working week).
5. NJC spinal column point (SCP) 1 [one] was erased in line with the LGS NJC Pay Award notification of November 2022.

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EQUALITY IMPACT ASSESSMENT

Pay Policy Statement 2024/2025

HROD



PLYMOUTH
CITY COUNCIL

STAGE I: What is being assessed and by whom?	
What is being assessed - including a brief description of aims and objectives?	<p>Under Section 38(1) of the Localism Act 2011 the Council is required to publish a Pay Policy Statement by 31 March each year.</p> <p>This EIA compares the profile of the whole workforce against the Chief Executive/Chief Officers group.</p> <p>The outcome of the national pay awards for 2023/24 for the NJC for Local Government Services, the JNC for Chief Executives and the JNC for Chief Officers have all been confirmed and actioned within November/December pay.</p> <p>2024/25 pay negotiations have not yet started</p> <p>Aim: To ensure the Pay Policy for Plymouth City Council does not disproportionality, detrimentally affect individuals with protected characteristics. We ensure that staff are not unfairly selected due to having a particular protected characteristic within the Equality Act 2010. We will also seek to avoid any indirect impact on staff within these groups that we cannot objectively justify.</p> <p>We do not anticipate any adverse impact to our workforce as pay relates to the role undertaken, not individual employee characteristics.</p>
Responsible Officer	Alison Mills, Head of HR Consultancy
Department and Service	Human Resources and Organisational Development
Date of Assessment	18.12.23

STAGE 2: Evidence and Impact					
Protected Characteristics (Equality Act)	Evidence and information (e.g. data and feedback) – WHOLE WORKFORCE @ 18/12/2023 – 2370 (removes 31 duplicates where an employee holds more than one role in the Council) %ages rounded to 2 decimal points	Evidence and information (e.g. data and feedback) – CHIEF EXECUTIVE / CHIEF Chief Executive/Chief Officers @ 18/12/23 – 10 (8 vacant)	Any adverse impact	Actions	Timescale and who is responsible
Age	Teens = 17/2370 = 0.72% 20s = 256/2370 = 10.80% 30s = 414/2370 = 17.47% 40s = 530/2370 = 22.36% 50s = 766/2370 = 32.32% 60s = 369/2370 = 15.57% 70s = 18/2370 = 0.76%	40s = 1/10 = 10% 50s = 7/10 = 70% 60s = 2/10 = 20%	None anticipated	n/a	
Disability	None = 1491/2370 = 62.91% Not declared = 653/2370 = 27.55% Prefer not to say = 82/2370 = 3.46% Yes = 144/2370 = 6.08%	None = 4/10 = 40% Not declared = 5/10 = 50% Yes = 1/10 = 10%	None anticipated	n/a	
Faith, Religion or Belief	Not declared = 555/2370 = 23.42% None = 960/2370 = 40.51% Prefer not to say = 44/2370 = 1.86% Christian = 755/2370 = 31.86% Buddhist = 8/2370 = 0.34% Other = 40/2370 = 1.69% Jewish = 2/2370 = 0.08%	Not declared = 5/10 = 50% None = 3/10 = 30 % Christian = 2/10 = 20%	None anticipated	n/a	

	Muslim = 5/2370 = 0.21% Sikh = 1/2370 = 0.04%				
Gender	Female = 1521/2370 = 64.18% Male = 851/2370 = 35.91%	Female = 3/10 = 30% Male = 7/10 = 70%	None anticipated	n/a	
Gender Reassignment	Data not available.	Data not available	n/a	n/a	
Race	White British = 2115/2370 = 89.24% Asian Or Asian British – Indian = 3/2370 = 0.13% Asian Or Asian British – Pakistani = 1/2370 = 0.04% Black Or Black British – African = 21/2370 = 0.89% Black Or Black British – Caribbean = 2/2370 = 0.08% Chinese = 2/2370 = 0.08% Information Refused = 3/2370 = 0.13% Mixed - White And Asian = 12/2370 = 0.51% Mixed - White And Black African = 4/2370 = 0.17% Mixed - White And Black Caribbean = 4/2370 = 0.17% Not Known = 68/2370 = 2.87% Other Asian Background = 8/2370 = 0.34% Other Black Background = 3/2370 = 0.13%	White British = 10/10 = 100%	None anticipated	n/a	

	<p>Other Ethnic Group = 6/2370 = 0.25%</p> <p>Other Mixed Background = 8/2370 = 0.34%</p> <p>Other White Background = 68/2370 = 2.87%</p> <p>White Irish = 6/2370 = 0.25%</p> <p>Not declared = 36/2370 = 1.52%</p>				
Sexual Orientation - including Civil Partnership	<p>Bisexual = 31/2370 = 1.31%</p> <p>Gay Man = 31/2370 = 1.31%</p> <p>Gay Woman/Lesbian = 26/2370 = 1.10%</p> <p>Heterosexual = 1605/2370 = 67.72%</p> <p>Information Refused = 62/2370 = 2.62%</p> <p>Other = 8/2370 = 0.34%</p> <p>Prefer Not To Say = 47/2370 = 1.98%</p> <p>Not declared = 560/2370 = 23.63%</p>	<p>Heterosexual = 6/10 = 60%</p> <p>Not declared = 4/10 = 40%</p>	None anticipated		n/a

STAGE 3: Are there any implications for the following? If so, please record 'Actions' to be taken		
Local Priorities	Implications	Timescale and who is responsible
Reduce the inequality gap, particularly in health between communities	None	
Good relations between different communities (community cohesion)	None	
Human Rights	None	

STAGE 4: Publication			
Director, Service Director/Head of Service approving EIA.		Date	4 th January 2024

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