

MINUTES OF GENERAL LICENSING COMMITTEE

MEETING DATE Tuesday, 11 September 2018

MEMBERS PRESENT: Councillors David Suthers (Chair), Jacqui Mort (Vice-Chair), Jane Bell, Harry Hancock, Ken Jones, Alan Ogilvie, David Watts and Paul Wharton

CABINET MEMBER: Councillor Karen Walton (Cabinet Member (Public Health, Leisure and Wellbeing) Member Champion (Older People))

OFFICERS: Mark Marshall (Head of Licensing), Tasneem Safdar (Senior Solicitor), Dianne Scambler (Governance and Member Services Team Leader) and Neil Martin (Environmental Health Officer)

OTHER MEMBERS AND OFFICERS: Chris Ward (Licensing Officer) (Licensing Officer), Justin Abbotts (Licensing Officer) (Licensing Officer), Stephanie Fairbrother (Licensing Officer) (Licensing Officer) and Councillor Karen Walton (Cabinet Member (Public Health, Leisure and Wellbeing) Member Champion (Older People))

PUBLIC: 3

13 Apologies for Absence

Councillors Jon Hesketh and Barbara Nathan submitted apologies.

14 Councillor David Wooldridge

Councillor Jane Bell on behalf of the Committee said a few words about their friend and colleague, Councillor David Wooldridge who had sadly passed away. Councillor Wooldridge was a great ambassador for licensing and he would be greatly missed.

15 Minutes of meeting Tuesday, 24 July 2018 of General Licensing Committee

The minutes of the General Licensing Committee meeting held on 24 July 2018 were confirmed as a correct record for signing by the Chair.

16 Declarations of Any Interests

There were no declarations of any interests.

17 Proposed changes to vehicle age policy

The Committee received a report of the Head of Licensing that provided Members with an update on proposed changes to the vehicle age policy relating to hackney carriage and private hire vehicles.

At meetings of the Taxi Trade Forum in 2017, the Borough's licensed trade queried whether the differential approach remained justifiable and as a result the Committee agreed to set up a working group to consider the matter in detail.

The recommendation from the group was to replace the current differential age policy with a standardised one, meaning that if adopted, the proposed age limits for all vehicle (whether saloon or wheelchair accessible) would be six years on first application and up to 12 years on renewal.

The working group produced a detailed report of its findings and recommendations, which was consulted upon throughout the month of May 2018. Out of the nine responses received, only one was against the proposal.

The Council's Environmental Health Department has since raised concerns about the proposed changes, highlighting the Council's commitment to improving Air Quality, currently a key priority within the Corporate Plan. Environmental Health felt that a relaxation of the policy would allow for operators to extend the life of older more polluting and potentially less safe vehicles.

The Committee heard representations from a Council's Environmental Health Officer who attended the meeting along with Councillor Karen Walton, Cabinet Member (Public Health, Leisure and Wellbeing) who asked for a deferment of the decision to allow for the Committee to consider key information in relation to vehicle emissions.

Members were also provided with further information at the meeting from Public Health England, who are looking to commence discussions with local districts in the Lancashire area to develop a consistent approach in respect of age limits on vehicles, bearing in mind the air quality impact.

Members of the Committee were of the view that the air pollution concerns had not been fully investigated and did not come out during the previous consultation. The approach to be taken by Public Health England could provide further information which would assist in a future consultation.

However, although, some concerns were raised in respect of air quality, there was general opinion that the working group had proposed the recommendations to bring parity for all licensed vehicles and would provide fairness to all in the taxi trade.

Members also received representations from members of the taxi trade who were in attendance at the meeting and whom had participated in the working group. They were apprehensive of a further review and circulated information that appeared to show that some, newer vehicles did not necessarily have reduced emissions. There was a real concern amongst the trade that they were being penalised for serving the public when other public serve vehicles had no age restrictions like buses or council vehicles.

The Committee debate was quite heated and there was a clear division amongst the membership.

It was proposed by Councillor Ken Jones, to recommend to Council to accept the recommendation of the working group to standardise the age limits to 6 years and 12 years for all vehicles, but to then undertake a further consultation to take into

consideration the comments of the Council's Environmental Health Department around Air Pollution. This motion was seconded by Councillor Harold Hancock.

An amendment to the proposal was proposed by Councillor Paul Wharton, seconded by Councillor Jacqui Mort, to defer the decision to allow for a further consultation to take place that would allow all relevant information to be considered. This motion was subsequently lost (Yes: 4, No: 5) with the Chair using his casting vote.

The original proposal was then voted upon and was subsequently RESOLVED (Yes: 5, No: 3): to recommend to full Council, to approve the standardising of the age limits of all vehicles (whether saloon or wheelchair accessible) to six years on first application and up to 12 years on renewal and then to undertake a further consultation on the lower age policy at the lower end of 4 years and 8 years.

18 Consultation on Gambling Policy

The Committee received a report of the Head of Licensing that outlined the proposed revisions and updates on the Council's Gambling Policy and sought approval to undertake a consultation on the draft policy.

The draft Policy was appended to the report along with a list of all bodies that would be consulted upon.

The Committee discussed the various measures that could be put into place to enforce the policy that included the frequency of reviews and the use of a pro-forma to assess risk, to ensure that the policy was sufficiently robust and asked for the policy to be amended to reflect these suggestions.

As the eight week period of consultation needed to commence on 13 September 2018, so that any responses could be brought back before Committee at its meeting in November, it was agreed to grant officer delegation to make the necessary amendments following this meeting. This timeframe would ensure that the new policy would be ready to implement, when the existing Gambling Policy expired at 31 January 2019.

RESOLVED (Unanimously):

That delegated authority be granted to the Head of Licensing to make the suggested amendments to the draft Gambling Policy ahead of the AGREED eight week consultation period to commence from 13 September 2018.

The Chair, Councillor David Suthers left the meeting.

19 Consideration for Mandatory CCTV in Taxis and Private Hire Vehicles

The Vice Chair, Councillor Jacqui Mort, took the Chair for the remainder of the meeting.

The Committee considered a report of the Head of Licensing that advised Members of the process for introducing CCTV in taxis and private hire vehicles as a Mandatory Condition of licence.

The Committee heard from representatives of the Trade who explained that although they thought that the use of CCTV was a good idea and would afford protection for both the driver and members of the public, the cost of its provision, (estimated at £500) if made mandatory, would be an additional one off cost that could not be recovered.

Taking into consideration all the relevant information, the Committee were also of the opinion that it was unfair to impose these costs on to the trade and struggled with the decision to make the installation of CCTV a mandatory condition of their licence.

It was proposed by Councillor Paul Wharton, seconded by Councillor Ken Jones and subsequently RESOLVED (Unanimously): to allow the status quo to remain, which permits CCTV to be installed in a taxi or private hire vehicle at the driver's discretion subject to the system being approved by South Ribble Borough Council.

Councillor David Watts left the meeting.

20 Licensing Activity Report for July and August 2018

The Head of Licensing submitted a report that provided the Committee with information on licensing activity throughout July and August 2018 that included applications received, enforcement checks and referrals to partner agencies.

The Head of Licensing also gave notice of three Licensing Reviews that would be coming before Committee over the next few weeks.

RESOLVED: (Unanimously) – That the report be noted.

Chair

Date