

Licensing and Public Safety Committee

Tuesday, 12th December, 2023, 6.00 pm

Shield Room, Civic Centre, West Paddock, Leyland, PR25 1DH

Agenda

1 Apologies for Absence

2 Declarations of Interest

Members are requested to indicate at this stage in the proceedings any items on the agenda in which they intend to declare an interest. Members are reminded that if the interest is a Disclosable Pecuniary Interest (as defined in the Member's Code of Conduct) they must leave the room for the whole of that item. If the interest is not a Disclosable Pecuniary Interest, but is such that a member of the public could reasonably regard it as being so significant that it is likely that it would prejudice their judgement of the public interest (as explained in the Code of Conduct) then they may make representations, but then must leave the meeting for the remainder of the item.

Minutes of the Licensing and Public Safety Committee

3 Minutes of meeting Tuesday, 12 September 2023 of Licensing and Public Safety Committee

(Pages 3 - 6)

Minutes of the General Licensing Sub-Committee Panel

4 Minutes of meeting Tuesday, 12 September 2023 of General Licensing Sub-Committee

(Pages 7 - 10)

5 Minutes of meeting Tuesday, 17 October 2023 of General Licensing Sub-Committee

(Pages 11 - 12)

6 Minutes of meeting Wednesday, 18 October 2023 of General Licensing Sub-Committee

(Pages 13 - 14)

7 Minutes of meeting Wednesday, 1 November 2023 of General Licensing Sub-Committee

(Pages 15 - 18)

8 Minutes of meeting Tuesday, 28 November 2023 of General Licensing Sub-Committee

(Pages 19 - 20)

Minutes of the Licensing Panel

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|-----------|--------------------------------------------------------------------------------------------------------------------|-----------------|
| 9 | Minutes of meeting Tuesday, 7 November 2023 of Licensing Panel | (Pages 21 - 24) |
| 10 | Vehicle Age Policy Update - Consultation Feedback
Report of the Interim Deputy Chief Executive attached. | (Pages 25 - 42) |

Chris Sinnott
Chief Executive

Electronic agendas sent to Members of the Licensing and Public Safety Committee

The minutes of this meeting will be available on the internet at www.southribble.gov.uk

Forthcoming Meetings

6.00 pm Tuesday, 5 March 2024 - Shield Room, Civic Centre, West Paddock, Leyland, PR25 1DH

Minutes of	Licensing and Public Safety Committee
Meeting date	Tuesday, 12 September 2023
Members present:	Councillors Jane Bell (Chair), Peter Gabbott, James Gleeson, Harry Hancock and Emma Stevens
Officers:	Chris Ward (Licensing Manager), Tasneem Safdar (Shared Legal Services Team Leader), Coral Astbury (Democratic and Member Services Officer), Justin Abbotts (Licensing Officer) and Elizabeth Hindle (Head of Planning and Enforcement)
Other members:	Councillor Keith Martin
Public:	0

16 Apologies for Absence

Apologies were received from Councillors Hilary Bedford, Julie Buttery and Paul Wharton-Hardman.

Councillor Connor Watson was in attendance as substitute for Councillor Buttery.

17 Declarations of Interest

There was no declarations of interest.

18 Minutes of the Licensing and Public Safety Committee

Resolved: (Unanimously)

That the minutes of the last meeting held on 27 June 2023 were agreed as a correct record for signing by the Chair.

19 Minutes of the General Licensing Sub Committee

Resolved: (Unanimously)

That the minutes of the last meeting held on 20 June 2023 were agreed as a correct record for signing by the Chair.

20 Minutes of the Licensing Panel

Resolved: (Unanimously)

That the minutes of the meeting held on 25 July 2023 at 2pm were agreed as a correct record for signing by the Chair.

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That the minutes of the meeting held on 25 July 2023 at 5pm were agreed as a correct record for signing by the Chair.

That the minutes of the meeting held on 1 August 2023 were agreed as a correct record for signing by the Chair.

21 Hackney and Private Hire Vehicle Age Policy update

The committee considered a report of the Director of Planning and Development that sought to provide an update on the effectiveness of the Vehicle Age Policy introduced in 2022.

The Licensing Manager explained that since the meeting of Licensing and Public Safety Committee in 2022, officers had found that all new vehicles licenced had been euro 6 rated, with the exception of some larger vehicles which had been licenced as special needs transport vehicles.

Prior to the policy being introduced in June 2022 the fleet of vehicles licenced by the Authority had only ten hybrid vehicles. This number had now increased by an additional 16 hybrid vehicles being added to the fleet by new and existing drivers. It was the Licensing managers view that vehicle proprietors were seeing the incentives to buying hybrid low polluting vehicles as they can be two years older when first licenced and remain licenced for four years longer.

The Council had commissioned an unmet demand survey in 2022 and the report found that there was no unmet demand of licenced vehicles in South Ribble.

The Licensing Manager advised that officers had researched the costs of electric vehicles and found that whilst some second hand vehicles had been found at a lower expense, fit for purpose vehicles are still seen as being out of the price range for drivers. Transport for London (TfL) had also extended the exemptions for wheelchair accessible vehicles for paying ULEZ until 2027.

Members noted that there was an increase in low polluting hybrid vehicles coming onto the fleet, with lower Co2 levels helping to create a fleet of low polluting vehicles, a step towards the Council's aspirations to be net carbon by 2030.

In response to a member enquiry, the Licensing Manager confirmed that batteries in electric vehicles were expected to last up until ten years and there was no disposal facilities for electric vehicles in the borough.

Members thanked the Licensing Manager for a detailed and comprehensive report.

Resolved: (Unanimously)

The committee:

1. noted the contents of the report,

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2. considered the proposed changes to the Vehicle Age Policy wording recommended by officers,
3. agreed that Officers should undertake a consultation exercise with stakeholders on the proposed changes,
4. agreed to receive a report on the outcome of the consultation exercise at a future meeting.

22 Cafe Pavement Licensing

The Licensing Manager presented a report of the Director of Planning and Development that sought approval to extend the current cafe pavement licensing scheme for a further year until 30 September 2024 in line with the Business and Planning Act 2020 (Pavement Licences) (Coronavirus) (Amendment) Regulations 2023.

The Licensing Manager explained that it was a statutory requirement to extend the current café pavement licensing scheme until 30 September 2024 in line with the legislation. The fee for the pavement licence was set to £100 in 2020 and had remained at this cost, the policy and application form had been updated to reflect the extension to the licences.

In response to a member enquiry, the Licensing Manager advised there had been around 6-7 pavement licences issued and there had been no issues of crime and disorder or any accidents.

Resolved: (Unanimously)

The committee:

1. Note the changes to the Business & Planning Act 2020 introduced by the Business and Planning Act 2023 (Pavement Licences) (Coronavirus) (Amendment) Regulations 2023,
2. To agree to extend the proposed duration of granting of pavement licences until 30 September 2024 as per the Business and Planning Act 2023 (Pavement Licences) (Coronavirus) (Amendment) Regulations 2023,
3. To confirm the level of fee charged in respect of applications for pavement licences issued under the Business & Planning Act 2020,
4. To extend delegated authority to officers as described in the report,
5. Members agree to forward the report to the next meeting of Council with a recommendation for formal adoption of the proposed policy.

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Chair

Date

Minutes of **General Licensing Sub-Committee**

Meeting date **Tuesday, 12 September 2023**

Members present: Councillors Jane Bell (Chair), James Gleeson, Lesley Pritchard and Emma Stevens

Officers: Chris Ward (Licensing Manager), Tasneem Safdar (Shared Legal Services Team Leader) and Coral Astbury (Democratic and Member Services Officer)

Other members and officers:

Public: 0

15 Apologies for absence

No apologies were received.

16 Declarations of Any Interest

There was no declarations of interest.

17 Exclusion of the Press and Public

Resolved: (Unanimously)

That the press and public be excluded for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

18 New Driver Application

The Chair referred to the circulated established procedure for hearings and the process that would be followed.

The Licensing Manager outlined the report of the Director of Planning and Development and explained the application was referred to members for a decision as the applicant had not been resident in the UK for a period of ten years and was unable to obtain a Certificate of Conduct from his home country for the period 2013 – 2015, as required by the Hackney Carriage and Private Hire Licensing Policy. This had been confirmed with the embassy. The applicant was also unable to obtain a passport from the country.

The Licensing Manager explained that the Applicant had been residing in the UK for a period of eight years having left his home country in 2015 to claim asylum in the UK. A clean DBS certificate for the period of eight years of residence in the UK had

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been provided and the Applicant assured officers he has never been in any trouble previously.

Officers had conducted a formal interview with the Applicant, who answered all questions and gave succinct answers as to why he could not provide the requested information. During the interview, officers did not find any reason to presume the Applicant should not be deemed a fit and proper person.

The Applicant had explained that he was currently working as a chef but wished to change his job to taxi driving as it would provide more flexibility for him and his family.

The Licensing Manager explained that members were required to determine whether the Applicant was considered to be a fit and proper person to be granted a licence considering his circumstances.

The Licensing Manager explained his impartiality but requested members to consider the following circumstances when making their decision:

- The Applicant has no convictions on his DBS,
- All relevant application criteria had been met,
- The Applicant was unable to obtain the certificate due to circumstances outside of his control having left his country in distressing circumstances,
- The Applicant had been a UK resident for eight years and had recently been granted naturalisation and a UK passport,
- Officers had found the Applicant to be open and transparent.

Members were given copies of the Applicant's naturalisation documents and British passport.

Questions by the sub-committee to the Licensing Manager

In response to a member enquiry, the Licensing Manager confirmed that DBS checks were undertaken every six months.

There were no questions by the applicant to the Licensing Manager.

Representations by the applicant

The Applicant confirmed that he had nothing additional to add to the Licensing Manager's report.

Questions from the Sub Committee

The Applicant gave the following responses to questions by the sub-committee:

- He had been working as a chef for over five years with different employers, prior to this he was working as a SIA accredited security guard for Marks and Spencer in Lancaster. The SIA badge had expired in March 2023.
- He wished to change roles as his partner was expecting another baby and he would need a more flexible role.

Summing up

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When summing up the Licensing Manager explained that members could choose to depart from the policy if they deemed there was exceptional circumstances. The Licensing Manager highlighted that the fact The Applicant could not obtain a Certificate of Conduct was due to circumstances out of his control.

The Applicant had nothing further to add.

In reaching its decision the sub-committee considered the following:

1. Both Written and Oral Evidence presented in connection with the hearing
2. The Local Government (Miscellaneous Provisions) Act 1976/Town Police Clauses Act 1847 (where applicable)
3. Hackney Carriage and Private Hire Licensing Policy – Section 5.6
4. The Statutory Taxi and Private Hire Vehicle Standards guidance
5. The Statutory fit and proper person test.

Members resolved: -

1. To grant the Private Hire Driver's Licence for the following reasons:
 - The Panel were of the view that there were exceptional circumstances which would allow them to depart from policy and grant the licence.
 - The Applicant has no convictions on his DBS since arriving in the UK,
 - All relevant application criteria had been met, except the Certificate of Conduct, due to circumstances outside of his control having left his country in distressing circumstances,
 - The Applicant had been a UK resident for eight years and had recently been granted naturalisation and a UK passport,
 - The Applicant had held an SIA badge which indicates a level of responsibility.

Chair

Date

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Minutes of **General Licensing Sub-Committee**

Meeting date **Tuesday, 17 October 2023**

Members present: Councillors Hilary Bedford, Jane Bell, Harry Hancock and Paul Wharton-Hardman

Officers: Chris Ward (Licensing Manager), Tasneem Safdar (Shared Legal Services Team Leader) and Coral Astbury (Democratic and Member Services Officer)

Public: 0

19 Apologies for absence

Apologies were received from Councillor Julie Buttery.

20 Declarations of Any Interest

There were no declarations of interest.

21 Procedure

The Chair outlined the procedure to be followed.

22 Exclusion of the Press and Public

Resolved:

That the press and public be excluded for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

23 New Hackney Carriage Drivers Licence

The Licensing Manager, Mr Chris Ward outlined a confidential report of the Interim Deputy Chief Executive and explained the application was referred to members for a decision as the applicant had previously had his licence revoked by the authority and was applying for a new licence.

The applicant and their representative were present at the hearing.

Members were requested to consider the report and decide whether to grant or refuse the application, taking into consideration all evidence put before them including the applicant's previous licenced history. Members were also asked to consider if the applicant could be considered a "fit and proper person" to hold a Hackney Carriage Driver's Licence.

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The applicant and his representative made representations to members of the committee.

Attendees at the hearing were also shown the video footage included at Appendix 2.

When summing up the Licensing Manager explained that although the policy stated that the applicant could reapply, he had not committed a criminal offence and the revocation was on the basis of non-conviction information. Members were asked to determine if he was fit and proper.

The representative also summed up.

In reaching its decision the sub-committee considered the following:

1. Both Written and Oral Evidence presented in connection with the hearing
2. The Local Government (Miscellaneous Provisions) Act 1976/Town Police Clauses Act 1847 (where applicable)
3. Hackney Carriage and Private Hire Licensing Policy – Section 1.7 and 2.4
4. The Statutory Taxi and Private Hire Vehicle Standards guidance
5. The Statutory fit and proper person test.

Members resolved: -

1. To grant the Private Hire Driver's Licence.

Chair

Date

Minutes of **General Licensing Sub-Committee**

Meeting date **Wednesday, 18 October 2023**

Members present: Councillors Jane Bell (Chair), Hilary Bedford, James Gleeson and John Rainsbury

Officers: Tasneem Safdar (Shared Legal Services Team Leader), Chris Ward (Licensing Manager), Sushma Nayee (Solicitor) and Ben Storey (Democratic and Member Services Officer)

Public: 0

24 Apologies for absence

None – all members were present.

25 Declarations of Any Interest

No interests were declared.

26 Procedure

The Chair outlined the meeting procedure that was to be followed, as included within the agenda pack.

27 Exclusion of the Press and Public

Resolved:

That the press and public be excluded for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

28 New Driver Application

The Licensing Manager, Mr Chris Ward outlined a confidential report of the Interim Deputy Chief Executive and explained the application was referred to members for a decision as the applicant had not been resident in the UK for a period of ten years and was unable to obtain a Certificate of Conduct from their country of birth for the period prior to their arrival in the UK, as required by the Hackney Carriage and Private Hire Licensing Policy.

The applicant was present at the hearing.

Members were requested to consider the report and decide whether to grant or refuse the application, taking into consideration all evidence put before them including the circumstances in which the applicant departed their country of birth.

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When summing up the Licensing Manager explained that members were required to determine whether the applicant was considered to be a 'fit and proper person' to be granted a licence considering their circumstances. The Licensing Manager also explained that the sub-committee can depart from the policy if they deem there to be 'exceptional circumstances' and requested members consider if this was the case.

The applicant answered a number of questions from Members and the Legal Officer regarding their current employment, their ongoing academic studies and their reasons for wanting to acquire a taxi license.

In reaching its decision the sub-committee considered the following:

1. Both Written and Oral Evidence presented in connection with the hearing
2. The Local Government (Miscellaneous Provisions) Act 1976/Town Police Clauses Act 1847 (where applicable)
3. Hackney Carriage and Private Hire Licensing Policy – Section 1.7
4. The Statutory Taxi and Private Hire Vehicle Standards guidance
5. The Statutory fit and proper person test.

Members resolved: -

To grant the Private Hire Driver's Licence.

Chair

Date

Minutes of	General Licensing Sub-Committee
Meeting date	Wednesday, 1 November 2023
Members present:	Councillors James Gleeson (Chair), Hilary Bedford, Matthew Farnworth and Harry Hancock
Officers:	Chris Ward (Licensing Manager), Tasneem Safdar (Shared Legal Services Team Leader) and Coral Astbury (Democratic and Member Services Officer)

Public: 0

29 Appointment of Chair

The Legal Advisor explained that the Chair and Vice-Chair were unable to attend the hearing.

As required by the Constitution, members were asked to appoint a Chair for the hearing.

Resolved: (Unanimously)

That Councillor James Gleeson be appointed as Chair for the hearing.

30 Apologies for absence

Apologies were received from Councillor Jane Bell.

31 Declarations of Any Interest

There was no declarations.

32 Exclusion of the Press and Public

Resolved:

That the press and public be excluded for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

33 Procedure

The Chair outlined the procedure to be followed.

34 New Hackney Carriage Drivers Licence

Agenda Item 7

2

The Licensing Manager, Mr Chris Ward outlined a confidential report of the Interim Deputy Chief Executive and explained the application was referred to members for a decision as the applicant had failed to declare an array of historical convictions on his application.

The applicant was present at the hearing.

Members were requested to consider the report and decide whether to grant or refuse the application, taking into consideration all evidence put before them.

When summing up the Licensing Manager explained that members were required to determine whether the applicant was a 'fit and proper person' to be granted a licence. The Licensing Manager also explained that the applicant's convictions would fall outside of the timescales set out within the SRBC Taxi Licensing Policy as they were at least seventeen years ago. This would not require an application to be brought before members for determination, however, the failure to declare the offences was the reason the application had been referred to the Sub-Committee.

The applicant answered questions from Members who wished to know why the convictions had not been declared.

In reaching its decision the sub-committee considered the following:

1. Both Written and Oral Evidence presented in connection with the hearing
2. The Local Government (Miscellaneous Provisions) Act 1976/Town Police Clauses Act 1847 (where applicable)
3. Hackney Carriage and Private Hire Licensing Policy – Section 1.7, 4.8
4. The Statutory Taxi and Private Hire Vehicle Standards guidance
5. The Statutory fit and proper person test.

Members resolved: -

To grant the Private Hire Driver's Licence.

35 Addendum

On 3 November 2023 it came to the attention of the Licensing Officer assigned to the application that a DVLA driving summary was not attached as supporting documentation to the application form.

Members were advised by telephone and email that the conviction should have been brought before them at the hearing on Tuesday, 1 November 2023 however due to Officer error it had not been provided.

Members were assured that licences do not get issued without full checks in place and additional robust checks undertaken by Licensing Officers had identified this issue, with the resulting information put before members again for consideration.

Members were advised they may want to give weight to the applicant's previous driving record for the twelve month period following the motoring offence.

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The applicant had not been served his decision notice from the hearing held on 1 November 2023 and he had not yet been issued a licence.

Members were asked, in light of the new information provided, if their decision made on Tuesday, 1 November 2023 would change.

All Members of the original panel confirmed orally and in writing to the Licensing Manager that their decision to grant a Private Hire Driver's licence did not change given the information that had been brought to their attention and the applicant be issued with a Private Hire Drivers' licence.

Chair

Date

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Minutes of **General Licensing Sub-Committee**

Meeting date **Tuesday, 28 November 2023**

Members present: Councillors James Gleeson, Paul Wharton-Hardman (Chair) and Hilary Bedford

Officers: Chris Ward (Licensing Manager), Tasneem Safdar (Shared Legal Services Team Leader) and Coral Astbury (Democratic and Member Services Officer)

Other members and officers:

Public: 0

36 Apologies for absence

Apologies were received from Councillor Jane Bell.

37 Declarations of Any Interest

There were no declarations of interest.

38 Procedure

The Chair outlined the procedure to be followed.

39 Exclusion of the Press and Public

Resolved:

That the press and public be excluded for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

40 New Licenced Driver Application

The Licensing Manager, Mr Chris Ward outlined a confidential report of the Interim Deputy Chief Executive and explained the application was referred to members for a decision as the applicant had a conviction on his DBS certificate which triggers the Taxi Licence Policy. The applicant had also failed to declare the conviction.

The applicant was present at the hearing.

Members were requested to consider the report and decide whether to grant or refuse the application, taking into consideration all evidence put before them.

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When summing up the Licensing Manager explained that members were required to determine whether the applicant was a 'fit and proper person' to be granted a licence. The Licensing Manager also explained that members could deviate away from the policy wording only if they thought there were exceptional circumstances. If members still had concerns, they were advised to refuse the licence. The Licensing Manager also outlined the fit and proper test and asked members to consider this when making their decision.

The applicant answered questions from Members who wished to know why the convictions had not been declared.

In reaching its decision the sub-committee considered the following:

1. Both Written and Oral Evidence presented in connection with the hearing
2. The Local Government (Miscellaneous Provisions) Act 1976/Town Police Clauses Act 1847 (where applicable)
3. Hackney Carriage and Private Hire Licensing Policy – Section 8.1
4. The Statutory Taxi and Private Hire Vehicle Standards guidance
5. The Statutory fit and proper person test.

Members resolved: -

To refuse the Private Hire Driver's Licence.

Chair

Date

Minutes of **Licensing Panel**

Meeting date **Tuesday, 7 November 2023**

Members present: Councillors Jane Bell (Chair), James Gleeson and David Howarth

Officers: Chris Ward (Licensing Manager), Sushma Nayee (Solicitor), Tasneem Safdar (Shared Legal Services Team Leader) and Coral Astbury (Democratic and Member Services Officer)

Public: 0

26 Apologies for absence

No apologies were received.

27 Declarations of Interests

None.

28 Procedure

The Chair outlined the procedure to be followed.

29 New Premises Licence application

The Licensing Manager, Mr Chris Ward outlined the report of the Interim Deputy Chief Executive and explained the application was referred to members for a decision as the applicant was South Ribble Borough Council. Ordinarily the application would be determined by Officers as no relevant representations had been received however for transparency members were requested to determine the application.

The Licensing Manager explained that due to success the size of the community held events within the town centre had grown. Events such as “The Leyland Light Switch On” and “Taste of Leyland” require authorisation to play amplified music and sell alcohol. Previously, the Events Team had utilised Temporary Event Notices (TENS) however these were not considered good working practice by the licensing authority and police.

TENS only permits up to 499 people in one permitted area at any one time and the licensing authority are unable to attach any conditions to a TENS unless it relates to an existing premises licence. By issuing a formal premises licence responsible authorities would have more enforcement powers over the events.

The Licensing Manager referred to the conditions agreed between the applicant, police and licensing authority, and explained these would ease any concerns over the regulation of any event taking place. The conditions would only permit events up

Agenda Item 9

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to six times a year with fourteen days' notice of any event served to the police and licensing authority.

The Licensing Manager confirmed that no representations had been received from any responsible authority or member of the public and the application had been advertised as stipulated within the Licensing Act 2003 for the correct representation periods.

In response to a member enquiry, the Licensing Manager confirmed that the licence would permit for up to 6000 people but that members may choose to increase or decrease this number. The 499 capacity used under the TENS had previously been used for the stage area, the new licence would encompass the whole of Hough Lane.

Jess Clegg, on behalf of the applicant, explained that the application was submitted as an additional measure. Police and Licensing felt it was necessary to obtain a full premises licence due to the growth of events over the next few years. For each event permission had to be granted by Lancashire County Council (LCC) and landowners for road closures and this was always given.

A lot of stalls and traders attend Taste of Leyland and the Light Switch On and bars would continue to maintain individual TENS.

The Licensing Manager gave the following response to questions by the sub-committee:

- Leyland Festival was run by the Leyland Town Team, they would need to apply for their own licence and TENS.
- Prior to an event, the Events Team would need to apply for authorisation and the number of events would be capped at six per year.
- SRBC would be the responsible person for the licence and if Leyland Town Team wanted to use the licence, they would need to obtain permission from the Events Team as the owners of the licence.
- There would be a named Designated Premises Supervisor (DPS) on the licence, however the licence would belong to SRBC.

Members emphasised that it needed to be made clear that the licence for Hough Lane would belong to SRBC and that authorisation would be needed for other bodies and individuals to use it.

When summing up the Licensing Manager explained that Members were requested to determine if the application should be granted with or without modifications or rejected.

Resolved: (Unanimously)

To grant the Premises licence with conditions for the following reasons:-

1. It was noted due to varying publicly centred events now being of a larger scale, in order to ensure the safety of the public and to promote all of the Licensing objectives; the SRBC's Events team had lodged an application for a Premises Licence specifically relating to the main high street in Leyland town centre marked on the plan submitted with the application.

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2. The Licence will only permit 6 events per year, and conditions relating to the risk assessment had been proposed, which will have to be conducted prior to each event, ensuring that the Licensing objectives are considered before the approval of an event. Reasonable advice had been sought from the Police prior to the submission of the application, who had actively advised of additional measures which could be taken in relation to large scale events such as the taste of Leyland and the Christmas light switch on which are estimated to attract up to 6,000 people.
3. The Panel noted that no objections or representations were received from the responsible authorities which were consulted, including Lancashire County Council.
4. The Panel considered South Ribble Borough Council's Licensing Act 2003 policy specifically clauses 35.3-35.5 alongside S18 of the Licensing Act 2003 which advise of the procedure for determining applications of this nature.

In the circumstances, the Panel decided to grant the Premises Licence with conditions, as it would promote the licensing objectives and ensure the events planned by the Council keep the residents of the Borough as safe as possible. The Panel felt that after careful consideration of the case before them, an appropriate decision had been reached.

The conditions attached to the licence will be as follows: -

1. The number of events will be limited to 6 events per year, following agreement with the licensing authority and police licensing department up to 14 days prior to any event.
2. Use of Polycarbonates only, no drinks to be consumed in glass bottles glasses etc. in any area.
3. A risk assessment for each individual event will be produced to licensing and police within 14 days of an event.
4. The risk assessment will include but not limited to:
 - Use of SIA staff
 - Use of stewards
 - A tailored event management plan specific to the event.
 - Engagement with ESAG before any event.
 - First aid covers adequate to each event.
 - All stewards recognisable with hi visibility clothing
 - All stewards will have radios on site.
 - Public safety announcements as required.
 - Emergency vehicle access points designated onto site.
 - Road closure managed by a designated events management company or team.
 - Danger areas roped off.
5. Engagement with local resident/businesses regarding road closures before the event.
6. Monitoring of music/sound levels will be logged and available to licensing or police officers at any event.

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7. Challenge 25 policy in place, all staff designated for sale of alcohol will be trained to the requirement of the licensing authority and Police.
8. Lost child policy in place before each event.
9. Designated collection point for lost children.
10. Training given to staff regarding loss children before any event.
11. Monitoring by stewards to ensure any safeguarding issues are reported.

The Panel were eager for an advisory to be linked to the decision in that the Leyland Town team are made aware of this Licence alongside the restrictions and risk assessment objectives associated. The Leyland Town team should seek the permission of the Events team should they want to utilise the Licence. Both the Leyland Town team and the SRBC Events team should notify each other of any events in utilisation of the Licence for the sake of completeness.

Chair

Date

Agenda Item 10



Report of	Meeting	Date
Interim Deputy Chief Executive	Licensing and Public Safety Committee	Tuesday, 12 December 2023

Vehicle Age Policy Update - Consultation Feedback

Is this report confidential?	No
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Is this decision key?	No
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Savings or expenditure amounting to greater than £100,000	Significant impact on 2 or more council wards
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Purpose of the Report

1. The purpose of the report is to provide feedback on the consultation carried out in response to the intended policy amendments, with regards to the age of vehicles licensed by this authority.

Recommendations

2. Note the content of the report.
3. Consider the consultation responses from members of the trade.
4. Determine whether to proceed to accept officer recommendations, to include all wheel chair and multipurpose vehicles to be licenced up to 12 years of age.
5. If members are minded accepting the recommendations of officers, then to forward this report to the next meeting of the Council with a recommendation for formal adoption of the proposed policy changes.

Reasons for recommendations

6. To keep the policy concurrent with the equality duty to passengers of licenced vehicles.

Other options considered and rejected

7. All options possible are address within the report body

Corporate priorities

8. The report relates to the following corporate priorities:

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An exemplary council	Thriving communities
A fair local economy that works for everyone	Good homes, green spaces, healthy places

LPSC meeting - 12/09/2023

9. A detailed report presented to members of the Licensing and Public Safety Committee on 12/09/2023, updated members, on the effectiveness of the Vehicle Age Policy introduced in 2022.
10. At the meeting of the Licensing and Public Safety Committee in April 2022, members passed a new vehicle age policy which gave emphasis to new restrictions on the ages of licenced vehicles dependant on the emissions rating of the vehicle.
11. With vehicles with an emissions rating of euro 6, being licenced up to 6 years old when first licence, then licenced until 12 years old.
12. Whereas vehicles with an emissions rating of less than 6, would only be licenced up to 4 years old when first licence, then licenced until 8 years old.
13. Although the policy was adopted until 2025, member also asked for an update on the policy after 12 months.

Current Position Feedback/Update - LPSC 12/09/2023.

14. At the meeting on 12/09/2023 members were given an update on the new policy.
15. Officers advised that the policy was working and since its introduction last year, officers have found that all new vehicles licensed have been euro 6 rated vehicles.
16. This with the exception of some larger vehicles licenced as special needs transport vehicles (as per the policy wording) in line with the current ULEZ rules by "The transport for London" which have been euro 5 rating.
17. Prior to the policy being introduced in 2022 the fleet of vehicles licenced by SRBC had only 10 hybrid vehicles.
18. Since June 2022, this had increase by 16 additional hybrid vehicles being added to the fleet, members were advised the council licenced 26 hybrid vehicles on the fleet.
19. At the point of writing this report (Nov 2023) the number of hybrid/ electric vehicles licenced by the authority has continued to increase, and is now 29.
20. Vehicle proprietors are clearly seeing the incentives to buying hybrid low polluting vehicles as they can be 2 years older when first licenced and remain licenced for 4 years longer.
21. We are seeing an increase in low polluting hybrid vehicles coming onto the fleet, with lower CO2 levels helping create a fleet of low polluting vehicles, a step towards the councils' aspirations to be net carbon zero by 2030.
22. Giving drivers an increase margin for vehicle ages, drivers are finding it more affordable to purchase hybrid type vehicles with less restrictions on ages from the previous policy in place up to 2022. (4 years to 6 years).

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UPDATE - Current Infrastructure for Electric Vehicles - LPSC 12/09/2023.

23. At the meeting on 12/09/2023 Officers explained that they have again, researched the costs of electric vehicles.
24. Officers explained that, although some second-hand electric vehicles have been found at a lower expense, (since the policy was implemented in 2022), fit for purpose vehicles are still seen as being out of the price range for our drivers.
25. Additionally, the cheaper vehicles have low ranges, most less than 200 miles, they are not capable of performing the required number of miles in one charge. Potentially leaving electric vehicles sat either charging or waiting to be charged during peak times, leaving an unmet demand for passengers.
26. Members were presented with an array of vehicles attached to the report of 12/09/2023, that were either out of the price range for our trade members or not capable of performing the number of miles a taxi/private hire vehicle will perform in a shift before needing to be charged again.
27. Additionally, officers explained, the current infrastructure of charging points within South Ribble is not capable to accommodate the number of vehicles if the council were to change to an “electric only” policy.
28. Officers advised members that the market for electric wheelchair accessible vehicles which are fit for purpose, is still unattainable for our drivers.
29. With vehicles in excess off £40,000 for used electric wheelchair accessible vehicles with a range capable of performing to expectations.
30. Whilst the authority caps the number of licensed non-wheelchair accessible hackneys, keeping the authority compliant with our equality duties to our wheelchair bound passengers, the option of mandating electric vehicles is not possible with the current infrastructure and availability of electric wheelchair accessible vehicles (WAV).

Problems found with the current policy wording - LPSC 12/09/2023.

31. Officers report the only vehicles pending to be changed from the old policy, that are now non-compliant with the new policy introduced last year, are either wheelchair accessible or MPV/ WAV vehicles - we still have 11 licensed, (older than 8 years old).
32. Officers explained, that the recent unmet demand survey, looked at the current policy on licensing vehicles within our area and reported back, the levels of diversity between the types of vehicles available to its residents.
33. The council has a duty to license wheelchair accessible vehicles and keep a list of the vehicles advertised to the general public, so there is no unmet demand for vehicles by wheelchair bound residents.

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Wheelchair accessible vehicles - LPSC 12/09/2023.

34. The type of vehicles that are normally adapted for wheelchair access are normally small, converted vans or MPV's which manufacturers have taken longer to implement low co2 rated engines.
35. The cost of purchasing these types of vehicles are excessively more than saloon type non-WAV's.
36. Officers are concerned should these vehicles not be licenced by the authority we may see an unmet demand for WAVs for our wheelchair bound residents.
37. Replacing non wheelchair accessible vehicles (saloons) with low polluting Hybrid / electric vehicles is much easier and more cost effective than WAV and MPV for the reasons indicated.

Exemptions from ULEZ zones for these types of vehicles - LPSC 12/09/2023.

38. This problem has been identified in London within its "Ultra Low Emission Zones" (ULEZ), where WAV type vehicles have been given a grace period which exempts them from paying the ULEZ charge until 24 October 2027, by the transport for London.

Committee Decision LPSC 12/09/2023

39. members of the Licensing and Public Safety Committee agreed to proceed to a consultation exercise, to explore extending exemptions from the Euro 6 policy to all WAV (wheelchair accessible) and MPV (Multipurpose Vehicles).
40. This meaning all WAV and MPV type vehicles would be licenced in line with euro 6 type vehicles, from 6 years old when first licence, then licenced until 12 years old.
41. Members agreed to receive a report advising of the results of that consultation exercise at a future meeting.
42. The report presented to members of the licensing and public safety committee on 12/09/2023, can be found via the link under agenda item 21 - [Agenda for Licensing and Public Safety Committee on Tuesday, 12th September, 2023, 6.00 pm - South Ribble Borough Council \(modern.gov.co.uk\)](#)

Consultation Exercise and Statistics

43. The whole trade have been consulted via email. The emails have been sent to every licenced driver, vehicle proprietor and licenced operator.
44. The Summarised consultation responses are as follows.

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Consultation question 1

Do you agree to allow all wheelchair accessible vehicles and multipurpose vehicles to stay licenced until 12 years of age if they are less than euro 6 rated vehicles?

Yes	5
No	0
Unsure	0

Consultation question 2

Do you have any comments to make about the current age policy for vehicles licenced by South Ribble borough Council?

Yes	0
No	5
Unsure	0

45. From the results above the trade as a whole have supported the proposed change to include exemptions to WAV and MPV's.

46. A summary of comments made by the trade within their responses are as follows;

I agree with this as these vehicles are more expensive to buy than cars.

The vehicle should remain on until the end of its 12th year.

Wheelchair vehicles are clearly becoming extremely expensive now, that full 12th year of use can be vitally important, when considering purchasing a WAV vehicle.

I think all private hire vehicles should be allowed up to 12 years old, it is very expensive in these very hard times for everyone to buy a car less than 6 years old, so I would like to recommend you increase this age limit to 8 years when first licensed and can stay licensed up to 12 years old. All neighbouring councils i.e., Chorley Preston BLACKBURN don't even have an age limit for their licenced vehicles

I feel we have spent a lot of money licencing with srbc we have a massive issue now we are seeing nearly 20-year-old cars operating in South Ribble area. (uber) licenced under different authority's work has drastically been affected I have a feeling a lot of drivers licenced with South Ribble council may move where its cheaper. I don't think it's possible but I would advise if possible allow operating licence to uber they have already taken a lot of work most likely drivers will start joining uber as the takings with local operators don't justify the rent and overall costs.

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Recommendation

47. Officers consider after seeing the policy in place for almost 18 months, the current policy is working well. It has created an incentive to drivers to obtain lower polluting vehicles.
48. The recommendation to members is to make the minor amendment to the policy wording to include WAV and MPV vehicles that are not euro 6 compliant to be exempt from being euro 6 and remain licensed until 12 years old.
49. This would only be relevant to the remaining 11 vehicles which are not compliant.
50. Officers feel the equality duty on the council to provide a diverse vehicle fleet for our residents, is just as important as working towards the council's objectives for air quality.
51. For that reason, the remaining WAV's and MPV's should remain on the fleet and be licensed until 12 years old or until they have been replaced.
52. This would not include any new vehicles licensed by the authority. The numbers will be reduced as vehicles are changed or become 12 years old. This would be reviewed as part of the full policy review scheduled for 2025.
53. The proposed change would only amend the following section of the age policy,

Any vehicle current performing "special educational needs school transport" **or a WAV or MPV type vehicle** may be granted the exemption from being categorised into (a) where its euro rating does not comply with euro 6. Thus, these types of vehicle will fall into category (b) at the discretion of the licensing manager upon assessment of the vehicle by officers.
54. The full vehicle age policy, including the proposed change above can be found attached to the report as **appendix 1**. (marked change is highlighted red within the appendix).

Climate change and air quality

55. The work noted in this report impacts on the following areas of climate change and sustainability targets of the Councils Green Agenda.:
 - a. net carbon zero by 2030
 - b. limiting non sustainable forms of transport
 - c. limiting or improving air quality

Equality and diversity

56. South Ribble Borough Council is responsible for the licensing of hackney carriage and private hire vehicles, drivers and operators.
57. This policy applies to all regardless of gender, age, disability, religious belief, race or ethnic minority or sexual orientation. No overall impacts have been identified across the equality strands within this report.

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58. Please see the summarised outcome of the Equality Impact Assessment (EIA) attached to the report as **Appendix 2**.

Risk

59. The risk to the council not fulfilling its duty to have wheelchair accessible vehicles available has been identified in the report, with a recommendation to change the policy to address this risk.

Comments of the Statutory Finance Officer

60. There are no direct financial implications to the Council of this report.

Comments of the Monitoring Officer

61. Committee should consider the responses from the consultation and thereafter reach a decision, as to whether to include all wheel chair and multipurpose vehicles to be licenced up to 12 years of age.

Background documents

Background Document 1 - report and attached appendices from 12/09/2023- [Agenda for Licensing and Public Safety Committee on Tuesday, 12th September, 2023, 6.00 pm - South Ribble Borough Council \(moderngov.co.uk\)](#)

Appendices

Appendix 1 - Proposed Policy Wording.
Appendix 2. Equality Impact Assessment

Report Author:	Email:	Telephone:	Date:
Chris Ward (Licensing Manager)	christopher.ward@southribble.gov.uk	01772625330	22/11/2023

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7.8 Vehicle Age Limits 01/05/2022 – 01/05/2023

The Council operates an age policy in respect of licensed vehicles and since its introduction, the travelling public of South Ribble have benefitted from more reliable vehicles which are fitted with better safety features and are more environmentally friendly.

The Council will where appropriate, issue Hackney Carriage and Private Hire Vehicle Licences to vehicles which:

- a) Are no older than 4 years, when first presented for licensing
- b) In respect of vehicles with a Euro Rating 6 for diesel and petrol fuelled vehicles, or Hybrid and electric vehicles, are no older than 6 years when first presented for licensing.

Vehicles in (a) above, which have been continuously licenced by South Ribble, will no longer be eligible for renewal once they are 8 years old.

Vehicles in (b) above, which have been continuously licenced by South Ribble, will no longer be eligible for renewal once they are 12 years old.

Any vehicle current performing “special educational needs school transport” or a WAV or MPV type vehicle may be granted the exemption from being categorised into (a) where its euro rating does not comply with euro 6. Thus, these types of vehicle will fall into category (b) at the discretion of the licensing manager upon assessment of the vehicle by officers.

Referrals to General Licensing committee

In order to ensure that the Council does not fetter its discretion, a vehicle proprietor retains the right to apply to licence a vehicle which falls outside the Council’s age criteria.

All such applications will be referred to the next scheduled General Licensing Committee for consideration.

The Committee will take into account factors including, but not restricted to:

- The make and model of the vehicle
- The exceptional condition of the vehicle, including the bodywork and interior passenger accommodation
- The mileage
- The service history
- Details of all repairs undertaken throughout the vehicle’s life
- Details of all replacement parts fitted throughout the vehicle’s life
- Whether any particular contracts rely on the specific use of the vehicle.

The Committee will not take into account the personal or financial circumstances of a proprietor when considering a departure from this policy

Each case will be determined on its own individual merits and any departures from this policy will be in exceptional circumstances only and will be recorded along with the reasons such a departure. Any departure from the policy will not create a precedent for future decisions.

Determination of the number of passengers which the vehicle will be licensed to carry will be the responsibility of the Licensing Officer on presentation of the vehicle at first inspection.

The vehicle Age Policy will be reviewed in 2025.

Appendix A – Impact Assessment (IA)

Name of the project, policy, service, or strategy:	Vehicle Age Policy		
Responsible officer:	Chris Ward		
Service Lead:	Elizabeth Hindle		
Date of assessment:	12/09/2023	Date of review:	29/11/2023

Introduction

Overview

What is an Impact Assessment?

The Impact Assessment is a tool to ensure that any policy, project, strategy, or service is assessed to consider any positive or negative impacts for all our residents with regards to equalities, health and sustainability. It is important that this is done in a timely manner and ideally it should precede the start of the project, policy or strategy concerned at Chorley Council or South Ribble Borough Council.

Who is the Impact Assessment for?

The responsibility of conducting the Impact Assessment is with the leading officer of the policy that is being assessed, with service leads responsible for the final sign off of the assessment. Once complete and signed off, the Impact Assessments are submitted to Performance and Partnerships, who are responsible for storing, monitoring, and ensuring the quality of the assessments. The assessment tool covers both Chorley and South Ribble Borough Council.

Why do we need to do Impact Assessments?

As Councils, we are committed as community leaders, service providers, and employers. Therefore, we will work to ensure that everybody is afforded equality of opportunity and good life chances. The Impact Assessment is a tool we use to ensure that we fulfil these commitments and thus meet our legal duties.

Instructions

Quick steps for completion

Follow the quick steps below when completing the Impact Assessment:

1. Sections: There are three sections to the Impact Assessment. These include:

- Equality impact: the impact on the nine equality strands, which include age, disability, sex, gender reassignment, race, religion, sexual orientation, pregnancy and maternity, and marriage and civil partnership. See the **Equality Framework**.
- Health and environmental impact: the impact on health and wellbeing as well as the environment.
- Reputational impact: the impact on the Councils' reputation and our ability to deliver our key priorities. Reference should be made to the Corporate Strategies.

2. Rating and evidence: Each section has a number of questions that should be given a rating and evidence given for why the rating has been selected. This allows us to quantify the impact. The rating key is outlined below:

Code	Description
P	Positive impact
N	Negative impact
NI	Neutral impact

3. Actions: Once a rating is given, actions should be identified to mitigate any negative impacts or maximise any positive impacts of the policy, project, or strategy that is being assessed.

4. Sign off: Once the assessment is completed, sign off is required by a Service Lead.

5. Submit: Once signed off, the Impact Assessment should be sent to the Performance and Partnerships Team, who will store the assessment securely and check for quality.

6. Follow up: Actions should be implemented and changes should be made to the policy, project, or strategy that has been assessed, with follow ups conducted annually to monitor progress.

Information and Support

Contact details

To submit your completed Impact Assessment or for guidance and support, please contact Performance and Partnerships at performance@chorley.gov.uk or performance@southribble.gov.uk

Equality Impact

Area for consideration	P	N	NI	Evidence	Further action required
What potential impact does this activity have upon:					
Those of different ages?			X		
Those with physical or mental disability?	X			<p>The council policy should make available vehicles accessible to wheelchair bound passengers.</p> <p>The report identifies the risk in the attached unmet demand survey if the council does not licence a percentage of its vehicles in line with DFT guidance.</p> <p>Recommendation to change the policy to address this risk.</p>	
Those who have undergone or are undergoing gender reassignment?			X		
Those who are pregnant or are parents?			X		
Those of different races?			X		

Those of different religions or beliefs?			X		
Those of different sexes?			X		
Those of different sexual orientations?			X		
Those who are married or in a civil partnership?			X		
Socio-economic equality or social cohesion?			X		

Health, Social and Environmental Impact

Area for consideration	P	N	NI	Evidence	Further action required
What potential impact does this activity have upon:					
Enabling residents to start well (pre-birth to 19)?			X		
Enabling residents to live well (16 to 75 years)?			X		
Enabling residents to age well (over 65 years)?			X		
Natural environment?			X		
Air quality and pollution?			X		
Natural resources?			X		
Rurality?			X		

Strategic Impact

Area for consideration	P	N	NI	Evidence	Further action required
What potential impact does this activity make upon:					
The Councils' reputation?	X	X			
Our ability to deliver the Corporate Strategy? <i>(Please refer to the Strategic Objectives)</i>			X		

Impact Assessment Action Plan

If any further actions were identified through the Impact Assessment, then they should be listed in the table below:

Action	Start Date	End Date	Lead Officer
Policy wording reconsidered for 12/12/2023 following the consultation of the trade members, no additional equality impact issues were raised by trade members.	Sept 2023	Dec 2023	Chris Ward Licensing Manager