

MINUTES OF LICENSING AND PUBLIC SAFETY COMMITTEE

MEETING DATE Tuesday, 12 November 2019

MEMBERS PRESENT: Councillors Ken Jones (Chair), Renee Blow (Vice-Chair), Jacky Alty, Derek Forrest, Peter Mullineaux and Alan Ogilvie

OFFICERS: Mark Marshall (Head of Licensing), Dave Whelan (Legal Services Manager/Interim Monitoring Officer), Coral Astbury (Democratic and Member Services Officer), Justin Abbotts (Licensing Officer), Stephanie Fairbrother (Licensing Officer) and Chris Ward (Licensing Officer)

PUBLIC: 1

21 Apologies for Absence

Apologies were received from Councillor Jane Bell, Mick Higgins, Jacqui Mort and John Rainsbury.

22 Declarations of Interest

None.

23 Minutes of meeting Tuesday, 10 September 2019 of Licensing and Public Safety Committee

RESOLVED: (Unanimously)

That the minutes of the Licensing and Public Safety Committee held on Tuesday 10 September 2019 to be agreed as a correct record for signing by the Chair.

24 Minutes of meeting Tuesday, 10 September 2019 of General Licensing Sub-Committee Panel

RESOLVED: (Unanimously)

That the minutes of the General Licensing Sub-Committee Panel held on Tuesday 10 September 2019 to be agreed as a correct record for signing by the Chair.

25 Minutes of meeting Monday, 16 September 2019 of General Licensing Sub-Committee Panel

RESOLVED: (Unanimously)

That the minutes of the General Licensing Sub-Committee Panel held on Monday 16 September 2019 to be agreed as a correct record for signing by the Chair.

26 Proposed Policy Amendment - Modified Vehicles

The committee considered a report which proposed amending the Modified Vehicle policy following a period of consultation with the relevant stakeholders.

The Head of Licensing explained to members that the current policy requires the Individual Vehicle Approval (IVA) testing of any modified vehicle on first presentation, thereafter a specialised modified vehicle test should occur. Members were advised that the IVA's are a one off test which are only undertaken by a Driver Vehicle Standards Agency (DVSA) approved centre with the average waiting time around five or six weeks. The Head of Licensing explained that in order to pass the IVA, adaptations to the Wheel Chair Accessible (WAVs) were often removed prior to testing.

Members were advised that the proposal to remove the modified vehicle test requirement would also require the testing process to be streamlined. Under the current policy, only Lancashire County Council (LCC) test the vehicles. Discussion had taken place with the Council's Moss Side Depot, who indicated that they could do a three part test which would include Road Worthiness, Modification and the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) Certificate.

Members sought clarification on how testing at Moss Side would be completed and if this would require additional staff training. The Head of Licensing explained that the depot had indicated they would be prepared to invest in training and developing staff if the policy was to be amended.

RESOLVED: (Unanimously)

1. The Licensing Service undertake a period of consultation, on the draft amendments to the existing policy, with the relevant stakeholders in respect of the proposed changes.
2. The Committee will receive a report on the outcome of the consultation at a future meeting.

27 Taxi and Private Hire Age Policy Review

The Head of Licensing presented a report to the Committee which proposed amending the current age policy in relation to Taxi and Private Hire Vehicles, taking into consideration the impact of these vehicles on air quality.

Members were advised that the current age policy was considered by the Committee in September 2018, who decided to leave the policy unchanged. A commitment was made in the 2019/2020 Licensing Work Plan to revisit the age policy with emphasis on vehicle emissions.

The Head of Licensing explained that the Hackney Carriage fleet is largely compliant with EU Emission Standards and the current age policy had a positive effect on the emission levels. Within the Private Hire Fleet, distinguishing the Wheel Chair Accessible Vehicles (WAV) from other types of vehicles would raise the compliance

level.

Members were advised that out of 141 Private Hire Vehicles 73 do not meet the EU Standards for emissions, with 66 of these being WAV. The remaining seven vehicles would soon leave the fleet due to their age under the current policy.

Speaking from the public, Mr Andrew Wallbank explained that his business uses WAVS to provide the school contract work for Lancashire County Council (LCC) and the vehicles drive less than 200 miles per week. Mr Wallbank raised concern that a reduction in the age policy would mean his business would lose viability.

The Chair advised Members that there was an action on the Air Quality Plan to reduce the age of the cars on the fleet in order to improve air quality.

Overall, members were of the view that reducing the air pollution from private hire and hackney carriages was important in improving air quality within the Borough. However, the reduction in age policy would need to be managed in a way which would have little impact on the Public.

Members agreed that the consultation would need to consider all wider issues and requested to see the draft consultation questions.

RESOLVED: (Unanimously)

1. The Licensing Service be required to consult on amending the Age Policy (as outlined in the report), with the maximum age of a Wheelchair Accessible Vehicle being eight years old coming into effect 1 January 2022. For disabled transport an additional year of transition will be added, with the age limit coming into effect 1 January 2023.
2. Members of the Committee would be presented with a copy of the draft consultation questions to provide any feedback or comments.
3. The Committee will receive a report on the outcome of the consultation at a future meeting.

28 Wheelchair Accessibility Hackney Carriage Licences

The Committee considered a report which advised the current Wheelchair Accessible Vehicle (WAV) fleet profile and the potential air quality implications relating to the current policy. Members were asked to agree a consultation period on amending the policy so that new Hackney Carriage Licences would only be granted to electric WAVs with a two year fee free period.

Members were advised that the proposal to grant new Hackney Carriage Licences to electric vehicles only, would improve air quality and the availability of Hackney Carriage WAVS. The Head of Licensing explained that in order to incentivise the trade to purchase electric WAVs, there would be a two year period in which fees were waived.

The Head of Licensing explained to Members that under the current policy, only vehicles which meet the age criteria and are wheelchair accessible will be granted a Hackney Carriage Vehicle Licence. Members were advised that

there was further disparity within the Policy due to the types of vehicles allowed to be used until 12 years old. In the Hackney Carriage Fleet, WAVS are specified whereas the Private Hire Fleet has a broader definition. As a result, there are numerous Multi-Purpose Vehicle's (MPV) on the Private Hire Fleet which are more polluting and do not offer the same benefit as a WAV.

Members expressed concern at the difference in definition and sought clarification that the proposed changes to the policy would rectify this issue. In response, the Head of Licensing advised that this area of the policy would be considered in the consultation with a report coming back before the Committee at a future meeting.

RESOLVED: (Unanimously)

1. The Licensing Service will undertake a consultation with relevant stakeholders on the proposed changes to the policy.
2. The Committee will receive a report on the outcome of the consultation at a future meeting.

29 Tinted Window Policy

The Committee considered a report that sought to review the existing tinted window policy. The Head of Licensing explained that the current policy only permits tinted windows which have a minimum 70% light transmission. Since the policy was introduced, the licensing authority has received complaints from the trade that the policy was restrictive and drivers struggle to source vehicles which meet the policy. Members were advised that many local authorities are now choosing to reduce the percentage of transparency in tinted windows, in favour of CCTV.

Members considered the proposals within the report and were of the view that the safety of the travelling public was paramount and this would need to be reflected within the Policy. Members also sought clarification on how a CCTV system would be governed. In response, the Head of Licensing explained that there would be conditions attached to the use of CCTV. The Licensing Authority would require to see the CCTV certificate, ability to turn audio on, appropriate signage and the use of two cameras.

RESOLVED: (Unanimously)

1. The Committee agree for the Licensing Authority to undertake a consultation process.
2. A report detailing the outcome of the consultation will be brought back at a future meeting.

30 Private Hire Livery

The Head of Licensing presented a report which proposed to amend the existing private hire livery, in order to create a more uniform and identifiable fleet of South Ribble Borough Council Private Hire Vehicles.

Members were advised that both Hackney Carriages and Private Hire Vehicles were not limited to where they could place company signage and logos. A change in policy would make it easier for members of the public to identify a private hire vehicle, which needs pre-booking in order to be insured.

RESOLVED: (Unanimously)

1. The wording on the proposed Private Hire Signage would be amended to, "if not pre-booked – not insured."
2. Licensing would undertake a consultation exercise with stakeholders on the proposed changes to private hire signs, including the positioning of such signs.
3. A report on the outcome of the consultation will be brought back to Committee at a future meeting.

31 Proposal of annual Licensing of vehicles

The Committee considered a report that proposed changing the Hackney Carriage and Private Hire Vehicle Licensing Policy, in that vehicle plates would be issued 12 monthly instead of every six.

RESOLVED: (Unanimously)

1. Licensing would carry out a consultation exercise with stakeholders on the proposed changes.
2. A report on the outcome of the consultation would be brought back before Committee at a future date.

Chair

Date