

MINUTES OF: LICENSING COMMITTEE

Date of Meeting: 25th January 2016

**Present: Councillor Crawforth (in the Chair)
Councillors Cheetham, De Souza, Haworth, Lythgoe, Marriott,
Neal, Shipley, Smallridge, M. Smith, Steen**

**In Attendance: Tracy Brzozowski, Licensing and Enforcement Manager
Clare Birtwistle, Legal Services Manager
Susan Chadwick, Licensing and Compliance Officer
Abigail Wrench, Trainee Solicitor
Nigel Yates, Licensing Enforcement Officer
Jenni Cook, Committee Officer**

**Also Present: Councillor Serridge
20 members of the taxi trade/public
0 members of the press**

BUSINESS MATTERS

1. APOLOGIES FOR ABSENCE

Apologies had been received on behalf of Councillor Eaton (Councillor Steen substituting) and Councillor Farrington (Councillor Marriott substituting).

2. MINUTES OF COMMITTEES

Resolved:

That the minutes of the meeting of the Licensing Committee held on the 10th November 2015 be approved and signed by the Chair as a correct record.

3. MINUTES OF SUB-COMMITTEES

Resolved:

That the minutes of the following Driver Sub-Committees be approved and signed by the Chair as a correct record subject to amendments noted below:-

- a) 4th November 2015 – approved with no amendments.
- b) 18th November 2015 – Councillor Crawforth had offered his apologies for this meeting.
- c) 1st December 2015 0- Councillor Crawforth had offered his apologies for this meeting.
- d) 14th December 2015 – approved with no amendments.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. URGENT ITEM OF BUSINESS

There were no urgent items of business.

6. REVISED POLICY FOR THE LICENSING OF HACKNEY CARRIAGE DRIVERS AND VEHICLES, PRIVATE HIRE OPERATORS, DRIVERS AND VEHICLES

- 6.1 The Licensing and Enforcement Manager introduced the report which outlined proposed revisions to the above policy. This report had been deferred from the Licensing Committee of 10th November 2015 to allow members to fully digest the reports presented.
- 6.2 The Licensing and Enforcement Manager outlined details of the further consultation with members and the taxi trade that had taken place with particular regard to:-
- Rejected applications
 - Seating capacities
 - Licence fees
 - Vehicle windows (tinting)
 - No smoking stickers
- 6.3 The Licensing and Enforcement Manager noted that some, but not all, of the taxi trade's proposals had been incorporated into the revised policy and stated that these minor amendments were tabled in Appendix C and D of the committee report.
- 6.4 Mr David Wilson and Mr David Lawrie spoke on this item on behalf of the Taxi Trade. Members asked questions for clarification.
- 6.5 The Licensing and Enforcement Manager and the Legal Services Manager provided clarification where required.
- 6.6 Discussion took place on the item, summarised below:
- 3-point seating in the rear of vehicles was discussed and officer time in determining 410mm in the proposed policy.
 - It was noted that the proposed policy regarding tinted windows was to protect the driver as well as passengers.
 - Roof signs – it was noted that drivers working outside the area were advised to switch off signs to avoid being seen as plying for hire. This matter would be brought to a future meeting of the Taxi Liaison Group for more discussion.
- 6.7 In view of the discussions, the Legal Services Manager advised that members should vote on any proposed amendments to the Policy at this point. It was proposed that section 2.23 of the policy be amended to count one passenger for each three point safety belt fitted. Voting took place on this and was split 5 members in favour and 5 members against the amendment. Under the terms of the Council's Constitution, the Chair of the Licensing Committee used his casting vote and voted in favour of the proposal.

Resolved:

That should the Policies be approved, section 2.23 Seating Capacity of Vehicles would be amended to state:-

“In determining the number of passengers that a vehicle will be licensed to carry, the Council will count one passenger for each three-point safety belt fitted as standard by the vehicle manufacturer.”

- 6.8 Members noted the issues with regards to 'for hire' lighting and it was re-iterated that this could be picked up via the Taxi Liaison Group and brought to a future committee

Resolved:

1. That the Licensing Committee resolves to adopt the revised Policy for the Licensing of Hackney Carriage Drivers and Vehicles, Private Hire Operators, Drivers and Vehicles, subject to the amendments to Section 2.23 as noted above at paragraph 6.7 of these minutes.
2. That the fees for private hire and hackney carriage drivers, vehicles and operators licensing be amended in line with Appendix B of the committee report.
3. That all future minor amendments to the policy are delegated to the Director of Business/Monitoring Officer in consultation with the Licensing Committee Chairperson and Portfolio Holder.
4. That the issues regarding roof signs/lights when driving outside the Rossendale area be raised at a future Taxi Liaison Group.

7. INTENDED USE POLICY

- 7.1 The Licensing and Enforcement Manager outlined the report which sought Members approval to recommend to Council the implementation of an 'Intended Use Policy' for hackney carriages. It was noted that this matter had been deferred from the Committee of 10th November 2015 in order to allow further work to be carried out to the policy.
- 7.2 The Licensing and Enforcement Manager noted that policy workshops had taken place with members and the taxi trade. As a result of these workshops, transitional arrangements were proposed that would allow current licensees that do not use their licence to a material extent within Rossendale one renewal period to allow them to gain a licence elsewhere in order that they can continue to work in the area that they have built up their business. This would apply to licences expiring between the adoption of the policy and 31st March 2017.
- 7.3 Mr David Wilson and Mr David Lawrie spoke on this item on behalf of the taxi trade. No questions for clarification were asked.
- 7.4 No discussion took place on the item however members congratulated council officers and the taxi trade for working together on this policy.

Resolved:

1. That Council are recommended to adopt the Hackney Carriage Intended Use Policy.
2. That Council recommend that all future amendments to the Hackney Carriage Intended Use Policy are delegated to the Licensing Committee.

The meeting commenced at 6.30pm and closed at 7.05pm

CHAIR: _____