

Minutes of the meeting of the Licensing Committee held on 2 July 2018 from 7.00 pm to 7.40 p.m.

Present: Jim Knight (Chairman)
Ginny Heard (Vice-Chairman)*

Michelle Binks
Richard Cherry
David Dorking*
Bruce Forbes

Steven Hansford
Christopher Hersey
Margaret Hersey
Jacqui Landriani

Anthea Lea
Gary Marsh
Howard Munding
Geoff Rawlinson*
Peter Reed*

* Absent

Also Present:

APPOINTMENT OF VICE-CHAIRMAN FOR THE DURATION OF THE MEETING

Councillor Knight noted that in the absence of the Vice-Chairman he would nominate Councillor Forbes to be the Vice-Chairman of the Committee for the duration of the meeting. This was agreed unanimously.

1. TO NOTE SUBSTITUES IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 4 – SUBSTITUTES AT MEETINGS OF COMMITTEES ETC.

Councillor de Mierre was substituting for Councillor G Heard.

2. TO RECEIVE APOLOGIES FOR ABSENCE.

Apologies were received from Councillor G Heard, P Reed and G Rawlinson.

3. TO RECEIVE DECLARATION OF INTERESTS FROM MEMBERS IN RESPECT OF ANY MATTER ON THE AGENDA.

None.

4. TO CONFIRM THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON 14 FEBRUARY 2018 AND 9 MAY 2018.

The Minutes of the meeting of the Committee held on 14 February 2018 and 9 May 2018 were confirmed as correct records and signed by the Chairman.

5. TO CONSIDER ANY ITEMS THAT THE CHAIRMAN AGREES TO TAKE AS URGENT BUSINESS.

None.

6. PRESENTATION OF HACKNEY CARRIAGE UNMET DEMAND SURVEY.

Jon Bryant, the Taxi Licensing Officer introduced the report which set out the results of the survey commissioned to establish whether there is currently a significant unmet demand for hackney carriages. Members are asked to recommend that the

Council continues its policy to limit the number of licensed hackney vehicles at 154 based on the results of the survey.

Members welcomed the report and one noted that the result of the survey shows that they have the appropriate amount of hackney carriage drivers. They queried whether there was a waiting list to become a licence holder.

The Licensing Officer confirmed that there was and that there were currently 40 individuals on the list.

A Member asked why there were still taxi ranks in areas that had low usage.

The Licensing Officer informed the Members that as there was high usage at the train station taxi ranks in the district, the use percentage of other ranks seems low. He confirmed to the Committee that these ranks were still regularly used and were a valuable service to some of those more vulnerable in the community.

A Member queried whether those hackney carriage vehicles with the ability to carry disabled passengers had signs to show that they had that capacity.

The Licensing Officer confirmed that the hackney carriage vehicles did have signs showing they could carry disabled passengers.

A Member asked the Licensing Officer whether he believed those consulted gave an accurate representation of the need for hackney carriage vehicle licences in the district.

The Licensing Officer informed the Member that he believed the unmet demand survey produced an accurate representation of the unmet demand. He also confirmed to the Committee that there will be additional taxi ranks located in Burgess Hill in preparation for the proposed development of the town centre.

Franca Currall, the Solicitor for Licensing told the Committee that Officers were working on a Code of Conduct for drivers and that it should be ready for the Committee in September.

The Chairman noted no more Members wished to speak so moved the Committee to the recommendation to note the report which was agreed unanimously.

RESOLVED

The Committee recommended that the Council continues its policy to limit the number of licensed Hackney Vehicles at 154 based on the results of the survey.

7. AMENDMENT TO THE HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING CONVICTIONS POLICY.

Jon Bryant, the Taxi Licensing Officer introduced the report which sought the Committees endorsement of changes to the Hackney Carriage and Private Hire Licensing Policy as detailed in Appendix 1 before it goes out to public consultation in July 2018. It is proposed that following consultation, if there are significant amendments required it will be reviewed by this Committee in September and the Scrutiny Committee for Community, Housing and Planning in November before it is formally adopted by Council in December 2018.

A Member asked whether the Licensing Officers would refer an incident of sexual assault to the Police if the victim hadn't.

The Licensing Officer confirmed that they would and that it had happened before.

A Member asked that 'vulnerable adults' be added to point 1.2 in the appendixes as to include them in the licensing authorities concern to ensure their safeguarding. It was agreed that this could be added.

The Licensing Officer clarified paragraph 20.1. If a licence holder applied for a new licence it would allow for the opportunity for their current conduct to be under scrutiny and may result in suspension or revocation of their current licence.

A Member stated that item 8.2 was concerning as a licence could be granted to an applicant who has a conviction for an offence such as murder. He believed that it should be the case that under no circumstance should they be granted a licence.

The Licensing Officer informed the Committee that this was because the Council could not fetter their decision making by their policies and each case must be decided on its merits. The policy is written to set out the Council's position and this will help the Council defend legal challenges.

A Member queried whether licence holders have to inform Officers when they suffer from major health issues.

The Licensing Officer confirmed that the Council have a medical policy included in the Hackney Carriage and Private Hire Licensing Policy. This policy allows Officers to contact licence holders GPs for medical information. The policy also states that licence holders have to contact the Council if they suffer any health issues that could affect their abilities as a driver. He also confirmed that he would insert the word 'Police' before the word Caution to paragraph 6.7 for clarity as Cautions can also be issued by the Council.

A Member asked the Chairman to commission a review of the points system that was introduced by the Committee. Members also requested a briefing on what issues had been reported to the Licensing Sub-Committee A and the number of Hackney Carriage vehicles that have been replaced with white vehicles.

The Chairman and Officers agreed that these reports could come before the Committee at the next meeting.

A Member asked whether a policy for an aptitude for the English language could be applied to all licence holders in the District.

The Solicitor informed the Members that the Council can't retrospectively apply policies or requirements to licence holders if the policy or requirement wasn't in place when they received their licence.

The Chairman noted no more Members wished to speak so moved the Committee to the recommendation to note the report which was agreed unanimously.

RESOLVED

The Committee endorses the changes to the Hackney Carriage and Private Hire Licensing Convictions Policy at Appendix 1 and those amendments discussed at the Committee before it is issued for public consultation.

8. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10.2 DUE NOTICE OF WHICH HAS BEEN GIVEN.

None.

Chairman.