

**Minutes of the meeting of the Scrutiny Committee for Leisure and  
Community held on 23 June 2015 from  
7:00 p.m. to 7:31 p.m.**

**Present:** Jacqui Landriani (Chairman)  
Mandy Thomas-Atkin (Vice Chairman)\*

Margaret Belsey	Cherry Catharine	Chris King
Liz Bennett	Sandy Ellis	Anthea Lea
Anne Boutrup	Colin Holden*	Howard Muddin
Pete Bradbury*	Anne Jones MBE*	Kirsty Page*
		Dick Sweatman

\* Absent

**Also Present (as an appointed substitute):** Councillors Coote, Mockford and Wyan.

**Also Present:** Councillors Moore and Webster.

**Note: The Chairman asked Cllr Sweatman to act as Vice-Chairman for the meeting as Councillor Thomas-Atkin was absent.**

**4. SUBSTITUTES AT MEETINGS OF COMMITTEE – COUNCIL PROCEDURE  
RULE 4**

The Committee noted that, in accordance with Council Procedure Rule 4, Councillor Phillip Coote replaced Councillor Pete Bradbury, Councillor Norman Mockford replaced Councillor Colin Holden and Councillor Peter Wyan replaced Councillor Kirsty Page for the duration of the meeting.

**5. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Bradbury, Holden, Jones, Page and Thomas-Atkin.

**6. DECLARATIONS OF INTEREST**

None.

**7. MINUTES**

The Minutes of the previous meetings held on 24 March 2015 and 20 May 2015 were agreed as a correct record and signed by the Chairman.

**8. URGENT BUSINESS**

None.

**9. HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY**

Lynne Standing, Head of Housing, Environmental Health and Building Control, introduced the report and advised that it had come before the Committee as the Licensing Committee were unable to consider new policies.

Mrs Standing went on to provide Members with an explanation of the difference between Hackney Carriage and Private Hire Licences and informed the Committee that Mid Sussex District Council had issued 223 Hackney Carriage Licences and 285 Private Hire Licences and 64 Operator Licences.

She went on to advise Members of the main changes to the Licensing Policy and that due to the Deregulation Act that the Government had recently brought in instead of re-issuing licences on an annual basis this will change to every three years for drivers and five years for operators. It was noted that exceptions were permitted but the Government had not offered guidance on when exceptions to this can be made and Mrs Standing drew Members attention to the exceptions that officers had drawn up. These consisted primarily of offering new drivers and operators the option of an initial 1 year licence before moving to the three year licence and licence holders who for work visa purposes would not be able to carry a three year licence. Mrs Standing also advised that it was officers' intention to provide a transitional period for existing drivers and operators to help them plan for the extra cost of applying for a multi-year licence by allowing those who needed to review their licences between the time the new policy takes effect on 1 October 2015 and 30 September 2016 to opt for a one year licence, after which three or five year licences would be issued.

One Member asked if all neighbouring authorities were in the process of implementing these changes in their policies. Mrs Standing confirmed that all local authorities would have to incorporate these changes and officers were liaising with neighbouring authorities throughout this work.

Another Member raised concerns about the reference in the draft policy in paragraph 5.3 under Section 5 – Drivers, around the minimum age of a driver to hold a hackney carriage or private hire licence and asked if 18 was too young and if there was any discretion to raise this age. Mr Alec Lee, Taxi Licensing Officer, advised that in addition to the need to be at least 18 years old, drivers applying for a licence had to meet certain conditions including holding a full DVLA driving licence for a year, and that in the past 15 years there have been no drivers under the age of 21 applying for a licence.

One Member sought further clarification on the financial implications as outlined in pg. 9 of the report. Mrs Standing advised that the implementation of the new fee structure would need careful analysis but assured the Committee that officers did not foresee any risk implications associated with the cost recovery of the new 3 and 5 year licences.

A question was raised by another Member whether a Private Hire driver was able to collect fares from outside of Mid Sussex. Mr Lee confirmed that as long as the booking was made to an operator licensed in Mid Sussex and driver despatched also held a Mid Sussex licence then they were able to collect fares outside of the district.

Another Member asked a series of questions around limitation of numbers, the upper age limit for drivers and the requirement of drivers to speak English. Mrs Standing advised that the current limit of hackney carriage licences the Council can issue stands at 154 vehicles. She went on to say that this limit is periodically reviewed and an unmet demand survey is carried out to ascertain whether this limit needs to be changed.

Mr Lee advised that there is currently no upper age limit specified in the policy however, all drivers must pass a stringent medical (Group 2 HGV standard) before a licence is re-issued.

Finally, Mr Lee advised that there is no requirement in the policy for drivers to speak English however all drivers must periodically take and pass Taxi Knowledge Tests which are conducted in English and therefore if drivers can complete this then their language skills are considered sufficient to carry out the role. However, if Members would like to review this then this can be considered in the future. The Chairman advised that this will be kept under review.

Another Member asked how drivers' working hours were monitored. Mr Lee advised that there were EEC directives outlining drivers working hours and that operators were responsible for making sure drivers did not exceed the maximum hours.

One Member asked about the insurance requirements for drivers. Mr Lee confirmed that the policy had adopted since 2011 a requirement for all drivers who were applying for a re-issue of a licence to provide comprehensive proof of insurance and that they carry a copy of this proof in the vehicle at all times for inspection by the Police or council officers.

As there were no further questions, the Chairman advised the Committee about the consultation procedure that the policy would now go through and that the Council had a tried and tested procedure to ensure that all consultees would be reached.

Mrs Standing reminded Members that there would be two Member training sessions on Licensing being held on 8 July 2015 at 3:30pm and 6:30pm and encouraged Members to attend as this would help them with understanding items that would be brought to the Committee. This was endorsed by the Chairman who urged Members to attend in order to understand licensing issues that might arise in their capacity as Ward Members.

The Chairman asked the Cabinet Member if he had any further comments. The Cabinet Member for Health and Community informed Members that a Member Training session on Safeguarding was being held on 20<sup>th</sup> October 2015 and urged all Members to attend.

As there were no further questions, the Chairman took Members to the recommendations in the report, which were agreed unanimously.

## **RESOLVED**

That the Scrutiny Committee agreed to: -

- (1) endorse the Draft Hackney Carriage and Private Hire Licensing Policy at Appendix 1 of the report before it is issued for public consultation.
- (2) note the main changes to the policy as set out in paragraphs 6–10 of the report.

## **10. SCRUTINY COMMITTEE FOR LEISURE AND COMMUNITY WORK PROGRAMME 2015/16**

The Chairman took Members through the work programme for the forthcoming year. She advised that throughout the year the work programme may be subject to change as items may be added that are time critical or removed if more work needs to be

done. It was noted that the work programme would be reviewed at the end of every meeting.

The Solicitor to the Council advised that each Scrutiny Committee was responsible for its own area of work and for scrutinising the two Portfolio Holders it covers. He went on to say that if any Member wished to add an item to the work programme they would need to raise this through the Chairman.

As there were no questions, the Chairman took Members to the recommendation in the report which was noted.

**RESOLVED**

That the Committee notes the Committee Work Programme as outlined in the report.

Chairman