

**Minutes of a meeting of Licensing Committee
held on Tuesday, 2nd February, 2021
from 4.00 pm - 4.52 pm**

Present: J Knight (Chair)
Anthea Lea (Vice-Chair)

P Chapman
R Cromie
J Dabell
L Gibbs

I Gibson
J Henwood
C Laband
S Smith

R Webb
N Webster

Absent: Councillors G Allen, G Marsh and N Walker

1. ROLL CALL AND VIRTUAL MEETINGS EXPLANATION.

The Chairman introduced the meeting and the Vice-Chairman took a roll call of Members in attendance.

The Licensing Solicitor explained the virtual meeting procedure.

2. TO RECEIVE APOLOGIES FOR ABSENCE.

Apologies were received from Councillors Allen, Marsh and Walker.

3. TO RECEIVE DECLARATIONS OF INTEREST FROM MEMBERS IN RESPECT OF ANY MATTER ON THE AGENDA.

None.

4. TO CONFIRM THE MINUTES OF THE PREVIOUS MEETING HELD ON 22 SEPTEMBER 2020.

The minutes of the meeting of the committee held on 22 September 2020 were confirmed as a correct record, and signed by the Chairman.

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

None.

6. CONSIDERATION OF THE RESPONSES TO THE PUBLIC CONSULTATION REGARDING AMENDMENTS TO THE HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY AS A RESULT OF THE DFT STATUTORY GUIDANCE.

Jon Bryant, Senior Licensing Officer introduced the report which seeks the

Committee's consideration of the responses received during the public consultation of the draft policy changes to the Hackney Carriage and Private Hire Licensing Policy. It was proposed that following this consideration the revised policy would be approved by the Cabinet Member for Community for implementation on the 1st May 2021.

The Senior Licensing Officer also requested a steer from the Committee on how the Council would consider the phasing out of fossil fuelled cars from the taxi and private hire fleet in line with current government proposals to stop the sale of these vehicles in 2030 and to establish a timeline for these vehicles to be totally removed from the licensed fleet.

The Senior Licensing Officer noted that a total of 20 responses were received from various parties, with further details in Appendices 2 and 3.

The Chairman noted that several options were put forward in the recommendations and agreed to take separate votes on each section as the meeting progressed.

The Vice-chairman welcomed the report and was impressed by the number of responses in such challenging times and requested that Members consider extending the deadline for licensed diesel vehicles to comply with Euro 6 emissions standards in relation to recommendation 2.1 in the report.

A Member acknowledged the economic impact on taxi drivers but emphasised that the Council had a strong obligation to public health, referencing recent news reports of the death of a girl in London due to air pollution. The Member supported the suggestion to change it from 2022 to the year 2023, which she believed would provide more leeway for taxi drivers but maintain the Council's obligation to public health. This proposal was seconded by another Member.

Another Member cited the impact of pollution, as even a top floor window left open could result in pollution gaining access to a property. Whilst he did not wish to penalise drivers, he believed the Council has an obligation to the public to maintain high standards.

The Chairman asked if figures concerning the scale of loss of income for taxi drivers in the area were available. The Senior Licensing Officer replied that there was anecdotal evidence of a significant loss in income for drivers, in addition to the evident reduction in traffic and taxi usage.

Several Members agreed that the deadline should go to 2025, citing the ongoing unpredictability of the Covid-19 pandemic.

The Senior Licensing Officer noted that many drivers were preparing for the introduction of white livery and had already purchased cars. He added that all newly licensed vehicles would have to agree with the standard.

A Member concurred that the extension would provide time for drivers to recover revenue, but not reduce the Council's commitment to the environment.

Another Member was pleased with the number of responses from taxi companies and unions, as well as the report on guide dogs, as they protect the interest of disabled passengers. It was also noted that Mid Sussex generally has better air quality than other places and environmental impact since the lockdown needed to be considered, given the reduction in vehicles on the road.

The Chairman moved to a series of votes on recommendations 2.1 and 2.2 to determine the date by when all new licensed diesel vehicles would need to comply with the Euro 6 emissions standard. No Members voted to extend to 2022. Three Members voted to extend to 2025. A further proposal to extend to 2023 was made by Councillor Henwood and seconded by Councillor Dabell and 9 Members voted in favour of this. Therefore, the proposed amendment to 2023 was carried.

Members discussed the remainder of the policy regarding recommendation 2.3.

The Vice-chairman queried the response from West Sussex County Council regarding safeguarding training and if it would include county lines and modern slavery. The Senior Licencing Officer replied that proposed training will include counting lines and modern slavery and added that the Safeguarding Team at West Sussex County Council was currently considering a bespoke training package for drivers. He confirmed that when the package is completed, he would put it to the Members for consideration.

A Member asked about regulations on reporting damage to vehicles, including the period in which any issues should be reported to the Council. The Senior Licensing Officer replied that legislation requires damage to be reported within 3 days of occurrence, noting the Local Government (Miscellaneous Provisions) Act 1976.

The Chairman took Members to a vote on recommendation 2.3, which was agreed unanimously.

Members discussed the impact of phasing out fossil fuelled cars from the taxi and private hire fleet in line with current government proposals to stop the sale of these vehicles in 2030 and considered an ambition to introduce a deadline for these vehicles to be completely removed from the licensed fleet.

A Member believed that the Council needed to be ambitious to be in line with central government policy.

The Cabinet Member for Community noted that it was important to remember that 2030 is the prescribed date by the government. He added that he would prefer they be banned sooner, but that it also depends on national policy.

The Solicitor stated that while setting targets can be beneficial, they must be regularly reviewed and any issues resulting can be brought back for Members' consideration and new target dates set.

A Member agreed with the Cabinet Member, citing the frustration of drivers with changing goalposts and that setting expectations early on would help planning. The Member also noted that if new vehicles needed to be purchased to meet requirements, there should be a period of adjustment to accommodate what is manageable and what the government expects.

The Chairman took Members to a vote on recommendation 2.4 to agree an aim to introduce a deadline to remove such vehicles from the fleet. Members voted of a deadline of 2030 and 4 voted for a date beyond 2030. Therefore, the deadline of 2030 was carried. The Chairman also took Members to a vote on recommendation 3 which was agreed unanimously.

RESOLVED

The Committee:

I. considered the responses that had been received as a result of the public consultation and discussed the following options to be incorporated into the policy to reflect those comments:

II. Revise the deadline for the introduction of Euro 6 compliance to 1st October 2023 instead of the 1st October 2022 to provide vehicle proprietors an opportunity to recover from the economic impact of the Covid 19 pandemic and allow them to plan for changing their vehicles.

III. Keep all other proposals within the draft policy as is as they are considered statutory guidance.

IV. Discussed the impact of the phasing out of fossil fuelled cars from the taxi and private hire fleet in line with current government proposals to stop the sale of these vehicles in 2030 and considered a deadline for these vehicles to be totally removed from the licensed fleet. The Committee agreed to aim for a deadline of 2030.

Recommended to the Cabinet Member for Community to approve the revised policy with the agreed amendments in point 2 above for adoption and implementation on the 1st May 2021.

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

None.

The meeting finished at 4.52 pm

Chairman