

**Minutes of a meeting of Licensing Committee
held on Tuesday, 7th February, 2023
from 7.00 pm**

Present: J Dabell (Chairman)
G Marsh (Vice-Chair)

M Cornish
L Gibbs
J Henwood

C Laband
Anthea Lea
J Mockford

N Webster

Absent: Councillors G Allen, B Forbes, J Knight, S Smith, N Walker and
R Webb

1. TO RECEIVE APOLOGIES FOR ABSENCE.

Apologies were received from Councillors Allen, Forbes, Knight, Smith, Walker and Webb.

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

None.

3. TO CONFIRM THE MINUTES OF THE PREVIOUS MEETING HELD ON 11 OCTOBER 2022.

The Minutes of the meeting of the Committee held on 11 October 2022 were approved as a correct record and signed by the Chairman.

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

None.

5. PRESENTATION OF HACKNEY CARRIAGE UNMET DEMAND SURVEY.

Jon Bryant, Senior Licensing Officer introduced the report which provided the results of the unmet demand survey. As the Council restricts the number of Hackney Carriages licences to 154 the survey is required to establish there is no significant unmet demand and to defend any challenge for a licence. He noted that the survey was last completed in 2017 and due to the pandemic, the survey was not repeated in 2020.

Members discussed both the timing and method of the survey, the low number of responses, the reduced footfall at railway stations following the pandemic, whether

the recent fuel surcharge had impacted the demand for Hackney Carriages, queried whether all licence holders had completed the safety awareness training, wheelchair accessible vehicles and the impact of the cost of living on Hackney Carriage use.

The Senior Licensing Officer advised that nationally there is only one company to conduct the unmet demand survey and the Council relied on their expertise for the timing of the survey. The survey was also advertised on social media and communicated to local disability groups. He confirmed that fewer trains now stopped at Burgess Hill and East Grinstead since the end of the pandemic resulting in less passengers requiring the use of Hackney Carriages. He confirmed the survey had been completed before the fuel surcharge was introduced and only a small minority of drivers had not completed the disability awareness training. He advised the Committee that the Council cannot mandate particular wheelchair accessible vehicles, but they carry out random checks to ensure they carry ramps and have all safety equipment fitted.

Members further commented that the Council must accept the advice of the survey experts, and the survey is a guide. They must also consider the drivers' livelihoods, if the Council issues more licences it may reduce drivers' earnings.

As there were no further questions the Chairman took the Members to a vote on the recommendation which was unanimously agreed.

RESOLVED

That the Council continues to limit the number of licensed Hackney Vehicles at 154 based on the results of the survey.

6. PROCEDURE FOR THE DETERMINATION OF FILM CLASSIFICATION.

Jon Bryant, Senior Licensing Officer introduced the report which sought approval from the committee to create a scheme delegation to certify films not classified by BBFC, this was not included in the current statement of licencing policy. He confirmed there was a formal procedure to classify films that had not been classified by the BBFC or requests to for reclassification. The BBFC guidelines are used when reviewing films and films classified by the Licensing Authority may only be shown within the District.

Use BBFC guidelines and can only show within our district not nationally or outside the district. May also request reclassification for local screening. Section 20 of licensing act.

Members queried the scale of fees and commented that the procedures promote the objectives of the 2003 Licensing Act.

The Senior Licensing Officer advised the fees had been set by the Cabinet Member, £70 for an application and £70 per hour and part of to view the film; the BBFC fees range between £500 and £750 for a nationwide classification.

Cllr Webster, Cabinet Member for Community advised all the fees are listed on the Council's website; some are calculated on a cost recovery basis, whilst other take into account that Mid Sussex is a small district when comparing to fees that are charged nationally and a scale of fees for other activities undertaken by the Council and neighbouring local authorities.

As there were no further questions the Chairman took the Members to a vote on the recommendation which was unanimously agreed.

RESOLVED

- (i) That the Licensing Committee delegate authorisation of film classifications, for those films which have not been classified by the British Board of Film Classification ("BBFC") or previously by the Council to Licensing Sub Committee B, and that the Terms of Reference for that sub-committee are updated to include film licensing.
- (ii) The Licensing Committee is recommended to endorse the procedure for dealing with requests for classifications of films as set out at Appendix 1 to this report.

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

None.

The meeting finished at 7.38 pm

Chairman