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Licensing & Public Protection Committee - 19/03/19

LICENSING & PUBLIC PROTECTION COMMITTEE

Tuesday, 19th March, 2019
Time of Commencement: 7.00 pm

Present:- Councillor Mark Olszewski – in the Chair

Councillors Miss J Cooper, B. Panter, K. Robinson, S. Sweeney, J Tagg, J. Walklate, J Waring, G Williams, J Williams and R. Wright

Officers Matthew Burton - Licensing Administration Team Manager, Geoff Durham - Mayor's Secretary / Member Support Officer and Anne-Marie Pollard - Solicitor

1. **APOLOGIES**

Apologies were received from Councillors: John Cooper; Dymond; Kearon; Parker and Simon White.

Councillors Julie Cooper and Panter were present as substitutes.

2. **DECLARATIONS OF INTEREST IN RELATION TO LICENSING MATTERS**

There were no declarations of interest in respect of Licensing matters.

3. **MINUTES OF PREVIOUS MEETING**

Resolved: That the Minutes of the meeting held on 22 January, 2019 be agreed as a correct record.

4. **LICENSING SUB COMMITTEE MINUTES**

Resolved: That the Minutes of the meeting held on 22 November, 2018 be received.

5. **DECLARATIONS OF INTEREST IN RELATION TO PUBLIC PROTECTION MATTERS**

There were no declarations of interest in respect of Public Protection matters.

6. **DEPARTMENT FOR TRANSPORT STATUTORY GUIDANCE FOR LOCAL AUTHORITIES AND CENTRAL GOVERNMENT COMMENTS ON REFORMING TAXI LICENSING LEGISLATION**

Consideration was given to a report informing Members of the report and recommendations made by the Task and Finish Group on Taxi and Private Hire Vehicle Licensing; the Government's response and recommendation and The Department for Transport's proposed statutory guidance for Licensing Authorities.

The Council's Licensing Administration Team Manager, Matt Burton advised Members that this was an information item providing an update of the current position.

Members' attention was drawn to Appendix A of the report which outlined the 34 recommendations of the Task and Finish Group

Members attention was also drawn to the other documents, outlined in paragraphs 2.3 and 2.5 to 2.7 of the report.

Councillor Robinson stated that, what the Government was consulting on was quite welcome and that the laws did need improving, It was good that 'out of area' working and safeguarding issues were being tackled. Councillor Robinson referred to the English test and asked how this would be monitored.

Mr Burton advised that the Guidance Document was still in draft form at the moment. It would be up to each individual Authority as to what standard of English was necessary.

With regard to out of area working, the Government are looking to legislate to stop people being licensed in a Council area where they have no intention to work.

Councillor Cooper stated that the documents made reference to having a understanding of the Highway Code. Members were advised that this was a pre-requisite of the DVLA driving test. However, Newcastle are hoping to introduce a new Knowledge Test which would include elements of the Code.

Councillor Sweeney advised Members that some taxi drivers (Hackney) were negotiating prices with customers rather than having their meter running and asked what the law was on this.

Mr Burton stated that it depended upon the final destination in that, if the taxi is hailed in the Borough and staying in the Borough, the meter should be running. If they give a price, that is what they must charge, even if the amount is exceeded. However, if the amount is less, that is the fare that should be charged. To ensure this is correct, the meter must be running .

Councillor Panter enquired about the requirements for wheelchair accessible vehicles.

Mr Burton confirmed that any new Hackney Carriages had to be wheelchair accessible but there were no specifications to cover electric/manual wheelchairs.

Councillor Gill Williams asked what the recommended hours were for a taxi driver. This was governed under other legislation, with no set hours but the Government were looking to legislate this.

Councillor Waring enquired what standard of CCTV would be in the vehicles, how the information would be stored and if it would be part of the taxi test?

Mr Burton stated that drivers did not have to have it but it would be of benefit to them. It would be included in our new Policy and any drivers who did have it would be asked to produce it if asked.

Resolved: That the contents of the documents be noted.

7. DISCLOSURE OF EXEMPT INFORMATION

Resolved:- That the public be excluded from the meeting during consideration if the following matter because it is likely that there will be disclosure of exempt information as defined in paragraphs 1,2 and 7 contained within Part 1 of Schedule 12A of the Local Government Act, 1972

8. MINUTES OF PUBLIC PROTECTION SUB-COMMITTEE MEETINGS

Resolved: That the Minutes of the meetings held on 23 January, 13 February and 6 March, 2019 be received.

9. APPEAL OUTCOMES

Resolved: That the three appeal outcomes be received.

10. URGENT BUSINESS

The Chair updated the Committee on issues that had occurred earlier today.

At the end of 2018 this Committee approved a draft Licensing Policy which went out to consultation. Various meeting had been held with Council Officers and 'the trade'.

The formal consultation ended last week and the feeling amongst 'the trade' was that they had not been listened to and that the consultation period had not been long enough despite it being extended twice (to five months). Members were advised that, with the two extensions the consultation period went beyond the best practice minimum. The results of the consultation were not yet known.

The Drivers were under the impression that a decision was being made this evening, at this meeting and therefore called industrial action over the weekend and also a 'go slow' on the roads in the town centre between 4 and 5pm disrupting the traffic.

Councillor Sweeney advised that late on Friday night he received a phone call from the Police telling him that the taxi drivers were on strike.

Representatives of the taxi trade felt that they should be involved in developing the Policy.

The reports for the next meeting of this Committee, on 30 April would be produced early so that the taxi trade can look at them. A decision would be made by the Committee and not by officers of the Council.

Members were advised that drivers were also unhappy with the policy on ages of cars. The draft Policy had been amended so that new vehicles could not be more than 4 years old and would be taken off at 8 years.

Members were also informed that the County Council have put proposals forward to close Hassall Street as a taxi rank and to extend the High Street.

COUNCILLOR MARK OLSZEWSKI
Chair

Meeting concluded at 8.10 pm