



Licensing Committee

Tuesday 14th January 2020

10.00 am

**Council Chamber B
Council Offices
Brympton Way
Yeovil, BA20 2HT**

(disabled access and a hearing loop are available at this meeting venue)



Members listed on the following page are requested to attend the meeting.

The public and press are welcome to attend.

If you would like any further information on the items to be discussed, please contact the Case Officer on 01935 462055 or democracy@southsomerset.gov.uk

This Agenda was issued on Monday 6 January 2020.

Alex Parmley, Chief Executive Officer



This information is also available on our website
www.southsomerset.gov.uk and via the mod.gov app

Licensing Committee Membership

The following members are requested to attend the meeting:

Chairman: David Recardo
Vice-chairman: Wes Read

Jason Baker
Dave Bulmer
Nick Colbert
Karl Gill
Jenny Kenton

Tony Lock
Kevin Messenger
Crispin Raikes
Paul Rowsell
Andy Soughton

Linda Vijeh
Martin Wale
William Wallace

South Somerset District Council – Council Aims

South Somerset will be a confident, resilient and flexible organisation, protecting and improving core services, delivering public priorities and acting in the best long-term interests of the district.

- Protect core services to the public by reducing costs and seeking income generation.
- Increase the focus on Jobs and Economic Development.
- Protect and enhance the quality of our environment.
- Enable housing to meet all needs.
- Improve health and reduce health inequalities.

Members Questions on reports prior to the Meeting

Members of the Committee are requested to contact report authors on points of clarification prior to the Committee meeting.

Recording and photography at council meetings

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting.

Any member of the public has the right not to be recorded. If anyone making public representation does not wish to be recorded they must let the Chairperson know.

The full 'Policy on Audio/Visual Recording and Photography at Council Meetings' can be viewed online at:

<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%20council%20meetings.pdf>

Information for the Public

The Licensing Committee shall be responsible for those functions listed in part 3 of the Constitution as being the responsibility of the Committee. This will include licensing matters referred to it by officers, in accordance with the Officer Scheme of Delegation, such as contested public entertainment licences, and applications for taxi driver licences where the officer considers the application should be determined by members. The Committee shall also be responsible for all the functions assigned to it under the Licensing Act 2003.

The Statutory Licensing Committee has responsibility for all activities under the Licensing Act 2003 and the Gambling Act 2005 except for policies and fees. Established under the Licensing Act 2003, it exercises the functions of the Licensing Authority which itself is the Council.

The Other Licensing Committee can be responsible for all other licensing matters. Established by the Council under discretionary power contained in Section 101 of the Local Government Act 1972.

It is lawful for the membership of the two committees to be the same, but they are differently constituted and run under different powers.

Meetings of the Licensing Committee are held bi-monthly at 10.00am normally on the second Tuesday of the month in the Council Offices, Brympton Way.

Licensing Committee agendas and minutes are published on the Council's website www.southsomerset.gov.uk

The Council's Constitution is also on the web site and available for inspection in council offices.

Further information can be obtained by contacting the agenda co-ordinator named on the front page.

Licensing Committee

Tuesday 14 January 2020

Agenda

Preliminary Items

1. To approve as a correct record the Minutes of the Previous Meeting

To approve as a correct record the Minutes of the previous Meeting held on 10th September 2019 and various Licensing Sub Committee meetings.

2. Apologies for Absence

3. Declarations of Interest

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting.

4. Public Participation at Committees

a) Questions/comments from members of the public

This is a chance for members of the public and representatives of Parish/Town Councils to participate in the meeting by asking questions, making comments and raising matters of concern.

Items for Discussion

5. Update on Old Station Road Taxi Rank and the Taxi Licensing Policy (Pages 6 - 9)

6. Exclusion of the Press and Public (Page 10)

7. Permission to apply for a non-wheelchair accessible hackney carriage vehicle licence (1) (Confidential) (Pages 11 - 14)

8. Permission to apply for a non-wheelchair accessible hackney carriage vehicle licence (2) (Confidential) (Pages 15 - 18)

9. Permission to apply for a non-wheelchair accessible Hackney Carriage vehicle licence (3) (Confidential) (Pages 19 - 22)

10. Permission to apply for a non-wheelchair accessible Hackney Carriage vehicle licence (4) (Confidential) (Pages 23 - 26)

11. Permission to apply for a non-wheelchair accessible hackney carriage

vehicle licence (5) (Confidential) (Pages 27 - 31)

- 12. Permission to apply for a non-wheelchair accessible hackney carriage vehicle licence (6) (Confidential)** (Pages 32 - 35)
- 13. Permission to apply for a non-wheelchair accessible hackney carriage vehicle licence (7) (Confidential)** (Pages 36 - 39)
- 14. Permission to apply for a non-wheelchair accessible hackney carriage vehicle licence (8) (Confidential)** (Pages 40 - 43)
- 15. Permission to apply for a non-wheelchair accessible hackney carriage vehicle licence (9) (Confidential)** (Pages 44 - 47)
- 16. Permission to apply for a non-wheelchair accessible hackney carriage vehicle licence (10) (Confidential)** (Pages 48 - 51)
- 17. Permission to apply for a non-wheelchair accessible hackney carriage vehicle licence (11) (Confidential)** (Pages 52 - 55)
- 18. Permission to apply for a non-wheelchair accessible hackney carriage vehicle licence (12) (Confidential)** (Pages 56 - 60)
- 19. Permission to apply for a non-wheelchair accessible hackney carriage vehicle licence (13) (Confidential)** (Pages 61 - 64)
- 20. Date of Next Meeting** (Page 65)

Agenda Item 5

Update on Old Station Road Taxi Rank and the Taxi Licensing Policy

Executive Portfolio Holder: Cllr Tony Lock, Protecting Core Services
Director: Martin Woods, Service Delivery
Lead Specialist: Vicki Dawson, Lead Specialist – Environmental Health, Service Delivery
Lead Officer: Rachel Lloyd, Specialist – Licensing, Service Delivery
Contact Details: rachel.lloyd@southsomerset.gov.uk or 01935 462134

Purpose of the Report

To update the Committee on matters arising from the last meeting in relation to the Old Station Road taxi rank and the wheelchair accessible vehicle (WAV) policy. Also to inform the Committee of a review of the Taxi Licensing Policy and changes to the logo on the licence plates.

Public Interest

The taxi rank on Old Station Road, Yeovil, can currently only be used by wheelchair accessible taxis. Following a request at the last committee to review this rank as wheelchair only, officers have considered what options may be available and these are presented in the report. In addition information regarding a review of the Taxi Licensing Policy is also provided. A question was also raised at the last committee regarding why the licence plates are showing the old Council logo. This is also explained in the report.

Recommendation

That the Licensing Committee:

- a. Approve changing signage on the rank on Old Station Road, Yeovil to allow it to be used by standard hackney carriages.
- b. Note the details regarding the review of the Taxi Licensing Policy and the logo detail of the licence plates.

Background

The rank on Old Station Road, Yeovil (next to Premier Inn and Beefeater) is a WAV only taxi rank, which has seven spaces and was created in 2015. The spaces are marked out on the tarmac and have suitable allowance either side to allow wheelchair access (see photo attached - Appendix 1).

A Councillor has received comments that this rank is not being used by taxis. It is possible that the rank is not being used because it is for WAV taxis only, and that if non-WAV taxis were able to use it, it would be used more often.

Wheelchair Accessible Vehicle (WAV) Taxi Rank, Old Station Road

The Council has the power to create and vary a hackney carriage stand. This is set out in The Local Government Miscellaneous Provisions Act 1976. Variation of the rank to include new markings on the tarmac removing the side allowance for wheelchairs and provision of additional bays would require a formal procedure to be followed.

Where a rank is on private land, the consent of the landowner must be obtained, and on the public highway, the consent of the highway authority must be obtained.

In addition the Chief Officer of Police must be notified and a public notice must be published in a local newspaper.

There are 28 days following the publication of the notice where objections and representations can be made. Any representations and comments would need to be considered before making any changes to the rank.

As an alternative to a formal variation the signage which says “wheelchair accessible taxis only” could simply be changed or removed. This would eliminate the requirement to consult and advertise changes to the rank and would allow non WAV taxis to use the rank as well.

The Officer recommendation is to approve removal of the existing signage or creation of new signage which would allow non-wheelchair accessible taxis to use this rank. This would cost less compared to advertising a variation and re-marking the rank. This option would also keep the areas to the side and back of the rank to allow passengers to enter and exit taxis safely. Whilst there is not requirement in this option to carry out formal consultation, officers suggest it would be advisable to do this and consider any comments on changes being made to the rank.

The Committee also have the option of doing nothing as leaving the rank as it stands as available for wheelchair accessible vehicles only.

Other Hackney Carriage and Private Hire Licensing Issues

Consultation on WAV Policy and the Taxi Licensing Policy

The consultation on the WAV policy has not commenced yet. There is a requirement to write to drivers to ask for permission to contact them in relation to consultation as this is not covered by the privacy notice. This subject will be part of a letter, which covers other taxi licensing issues.

The WAV policy is part of the Taxi Licensing Policy. This Policy has been in place since 2015 so there is a need to review the entire policy. A meeting will take place later this month to start this process. Guidance on considering the suitability of licensed drivers and applicants for private hire and hackney carriage licences (criminal convictions) has been published recently and it is likely that this will be considered for adoption into the policy as part of the review.

Vehicle Licence Plates

The current stock showing the Council old logo is being used up before changing over to the new Council logo. There will a period of time where there will be a mixture of plates showing the old and new logo.

Financial Implications

There will be costs for officer time to review Policy. In addition, depending on the option taken, there will be costs of either; advertising a variation to the rank, re-marking and new signage, or new signage only.

The above costs can all be met from existing budgets.

Council Plan Implications

To promote a strong and growing economy with thriving urban, rural and land-based businesses
To enable health communities which are cohesive, sustainable and enjoy a high quality of life.

Carbon Emissions and Climate Change Implications

Nothing which affects the report on “greenhouse gas emissions from local authorities own estate and operations”.

Equality and Diversity Implications

If the decision is taken to vary the rank and change the markings making additional bays then this would remove the number of wheelchair accessible taxi only spaces in the town centre. However, our information is that these ranks are rarely used and other taxis could make better use of the rank. The other ranks in the town centre are currently used by WAV and non WAV taxis.

A further report regarding any proposed changes to the Taxi Licensing Policy as informed by the evidence will be supported by an Equality Impact Assessment.

Privacy Impact Assessment

The recommendation is that we investigate the effect of the policy and it is likely that consultation will take place with stakeholders.

It will involve processing data we currently hold to inform licensed drivers and operators of the consultation.

The information will be used to inform policy.

The information gathered would only be kept until any changes to the policy have been made.

The data will not be shared or processed externally. Analysis of the data will be published, but personal information will not be shared.

Background Papers

- South Somerset District Council - Taxi Licensing Policy
 - South Somerset District Council decisions taken by South Somerset District Council 6th November 2014
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Appendix 1 – Pictures of the rank located on Old Station Road, Yeovil



Agenda Item 6

Exclusion of the Press and Public

The Committee is asked to agree that the following items (agenda items 7-19) be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under paragraph 1: "Information relating to any individual for, or recipient or form recipient of any service provided by the authority." It is considered that the public interest in maintaining the exemption from the Access to Information Rules outweighs the public interest in disclosing the information.

Agenda Item 7

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Agenda Item 8

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Agenda Item 9

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Agenda Item 10

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Agenda Item 11

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Agenda Item 12

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Agenda Item 20

Date of Next Meeting

Members are asked to note that the next scheduled meeting of the Licensing Committee will take place on Tuesday 10th March 2020 in Council Chamber B, the Council Offices, Brympton Way, Yeovil.
