

## LICENSING COMMITTEE

MINUTES OF THE 27 NOVEMBER 2018

AT 3.30 PM

COUNCIL CHAMBER - WEST SOMERSET HOUSE

### Present:

Councillor R Lillis

Chairman

Councillor D Westcott

Councillor J Parbrook

Councillor I Aldridge

Councillor R Thomas

Councillor I Jones

Councillor T Venner

Councillor A Kingston-James

### Members in Attendance:

### Officers in Attendance:

Clare Rendell

John Rendell

#### LIC6 Apologies.

Apologies were received from Councillors N Thwaites and K Turner.

#### LIC7 Minutes of the previous meeting of the Licensing Committee.

(Minutes of the Meeting of the Licensing Committee held on 4 July 2018 – circulated with the Agenda.)

**RESOLVED** that the Minutes of the Licensing Committee held on the 4 July 2018 be noted.

#### LIC8 Declarations of Interest.

Members present at the meeting declared the following personal interests in their capacity as a Member or Clerk of County, Parish or Town Council or any other Local Authority:

Name	Minute No.	Description of Interest	Reason	Action Taken
Cllr I Aldridge	All Items	Williton Parish Council	Personal	Spoke and Voted
Cllr A Kingston-James	All Items	Minehead Town Council	Personal	Spoke and Voted
Cllr J Parbrook	All Items	Minehead Town Council	Personal	Spoke and Voted
Cllr R Thomas	All Items	Minehead Town Council	Personal	Spoke and Voted
Cllr T Venner	All Items	Minehead Town Council	Personal	Spoke and Voted
Cllr D Westcott	All Items	Watchet Town Council	Personal	Spoke and Voted

## LIC9 Public Participation.

### Agenda Item 7 – Zero Emissions Licences

Mr K Griffiths, a local taxi driver, spoke on the introduction of electric cars to his taxi fleet. He had worked as a licensed taxi driver in the area for 25 years and had invested heavily in his company to provide two vehicles that best suited the needs for his customers. He had submitted a request for a new hackney carriage licence for a 100% electric vehicle. However, the Licensing Manager had raised some concern on the issue of a brand new licence for the sole use of an electric vehicle due to the work load involved. Mr Griffiths had been asked to attend the meeting to discuss the option of re-issuing the last remaining hackney carriage licence, which had been recently returned to the Council, for use on the electric vehicle. The Licensing Manager had advised he thought it would be inappropriate to issue the licence without the guidance of the Licensing Committee. Mr Griffiths did not believe there were any legal grounds for which the licence could not be issued because the licence already existed and fell within regulation 3.3 of the Taxi Policy which allowed up to 28 saloon cars to be licensed. He hoped that the Committee would support his request.

## LIC10 Licensing Update Report.

The purpose of the report was to keep the Council's statutory Committee up to date on the activities of the Council's Licensing Service, changes to legislation, current consultations and other general licensing matters.

A summary of the activity and performance of the Licensing Service since the last meeting of the Committee was as follows:-

- The performance of the Licensing Service was measured against the number of applications that were completed within 14 days of them being determined. Between 1 July and 30 September 2018, 98.5% of applications had been completed within the 14 day timescale.
- Members were provided with a comparison of the numbers of applications received for each of the regimes administered by the Licensing Team between July and September 2018 and the numbers of licences in force and notices given as at 16 November 2018.

The Animal Welfare Regulations 2018 came into effect as of the 1 October 2018. The Regulations repealed a number of Acts responsible for regulating animal boarders, riding establishments, pet shops and dog breeders.

The review of statements of licensing policy for both the gambling and alcohol, entertainment and late night refreshment licensing regimes had been delayed, owing to predominantly an increase in work pressures due to the organisational restructure and the complication of the formation of a New Council.

During the discussion of this item, the following points were raised:-

- Concern was raised on the significant price increase on animal licences for West Somerset Council (WSC) compared to Taunton Deane Borough Council (TDBC).  
*The Licensing Manager explained that back in 2012, the previous Manager had reviewed the TDBC fees and had calculated the true cost of the services provided. That work had not been carried out for WSC, so this would be the first time in years that the fees had been adjusted to reflect the true cost.*
- Members queried the price increase for skin piercing licences and whether there had been any changes that had caused it.  
*No, there had been no changes in legislation or any trends that would have caused it.*
- Members agreed that the fees needed to be aligned with those set for TDBC in preparation for the New Council.
- Members queried whether vaping shops needed to be licensed.  
*Vaping shops were not regulated, so therefore were not licensed.*
- Members queried whether any of the fees had gone down in price.  
*Yes there were a few, scrap metal dealers licences had gone down along with some others.*
- Members queried if there were one set of fees, how could the New Council operate two taxi regimes.  
*The Licensing Manager agreed and there were many options to choose from. His preference was to operate one area. However, he could operate two areas but then he would have to introduce different fees because the costs would be different. He hoped to work towards a position that meant he had the same regime operating across the New Council area.*

**RESOLVED** that the report be noted.

**LIC11 Adoption of a new policy concerning use of the National Register of Taxi Licence Revocations and Refusals.**

The purpose of the report was to consider the licensing requirements for hackney carriage and private hire drivers and the recommendations set out in the report with regard to the adoption of a new policy which would enable the Council to use the National Register of Taxi Licence Revocations and Refusals, also known as NR3.

During the discussion of this item, the following points were raised:-

- Members queried whether the Licensing Department still received information from the Police when penalty points and convictions were accrued by taxi drivers.

*Yes, the NR3 would support the current process which included a Disclosure Barring Service check and they would continue to use DVLA for other information.*

- Concern was raised on access to personal information and the new General Data Protection Regulations.  
*The Licensing Manager advised that part of the Policy governed who had access and it ensured that only staff who were properly trained were allowed access to the system.*
- Members queried whether there was a cost to use the NR3.  
*The Licensing Department were already registered with the National Anti-Fraud Network which held the NR3 register. There was a fee involved but the Licensing Manager would calculate the cost and include it in the taxi fees.*
- Members queried whether the NR3 had been adopted by TDBC.  
*Yes it had been adopted by TDBC.*

**RESOLVED** that Members approved the adoption of the policy which could then be incorporated into the Private Hire and Hackney Carriage Drivers, Vehicles and Operators Handbook, more commonly referred to as the Taxi Handbook.

## **LIC12 Zero Emissions Licences.**

Councillor Parbrook had requested a discussion on Zero Emissions Licences.

The Licensing Manager had advised Mr Griffiths, the taxi driver who spoke during Public Participation, to attend the meeting and raise his query on use of electric vehicles within the taxi trade.

Following on from Public Participation, the Licensing Manager highlighted the following:-

- The Licensing Manager confirmed that section 3.3 of the Policy was correct, however, there was another section of the Policy, 6.1, that needed to be considered and that covered the vehicle specification. It detailed that any new vehicle licences issued after May 2006 should only be issued to vehicles that were disabled access compliant.
- Although the Policy stated that there could be a maximum of 28 saloon cars, it was later updated that all new vehicles had to be wheelchair accessible, this was to promote accessibility for people who used wheelchairs and others with disabilities.
- He was reluctant to issue the spare vehicle licence based on the individual request as the type of electric vehicle that Mr Griffiths wished to purchase did not fit the criteria set for disabled access.
- He advised the Committee that guidance had been received from Central Government a few years ago that stated Councils should aim to be compliant with disability access regulations and so therefore the department had made the decision to change the Policy so that any new vehicle licences would only be issued to vehicles which complied with the disability access criteria. However, a certain amount of licences were reserved for saloon cars to allow the existing taxi drivers to carry on with their trade without forcing them to purchase new vehicles.

- The Licensing Manager believed the discussion required a wider debate by the Committee.

During the discussion of this item, the following points were raised:-

- Members highlighted that the Government had set a target that all new cars had to be electric or zero emission by the year 2030, which was not far away.
- Members accepted that the cars used for taxis should have disabled access but there were certain advantages to electric cars and that the Policy needed to be updated to reflect them.
- Members advised that they were aware of one type of electric vehicle that appeared to have disabled access, but it had a very high price tag, which could prevent taxi drivers from being able to apply for a new vehicle licence.
- Members suggested a 'pilot' scheme could be introduced which would only allow taxi drivers to use an electric saloon car if they were able to offer an alternative mode of transport for those that required disabled access.
- Members believed it would be an incentive to other drivers if they saw a zero emissions vehicle being used.
- Members agreed that they should support the taxi drivers and that the Policy was out of date and needed to be aligned with the TDBC Policy.
- Members suggested that someone had to be the first to issue an electric vehicle licence, why couldn't it be WSC.
- Concern was raised on the restriction caused by the lack of charging points.

*Mr Griffiths advised that an electric vehicle was ideal for the Bristol Airport journey as there were charging points along the route. Electric vehicles also had an information section on the dashboard that guided the driver to where the nearest charging points were and was updated within real time.*

- Members suggested that if the spare licence was issued, the Licensing Manager could specify that it was for electric vehicle use only.

*Mr Griffiths confirmed he would be happy to provide proof of purchase before he was issued with the licence.*

*The Licensing Manager raised a concern that if he issued the spare licence, then it would give Mr Griffiths a commercial advantage because the Policy would not allow any more licences to be issued as 28 was the maximum allowed for saloon vehicles. However, he advised if the licence was granted, he could add a condition to specify it was for electric vehicle use only.*

- Members queried how long electric taxi vehicles lasted.  
*Mr Griffiths advised that there was a taxi company that had used electric vehicles and they lasted for approximately 5 years.*
- Concern was raised that electric vehicles were not the same as zero emission vehicles because they still needed to be charged which caused emissions. Members queried which was more efficient, petrol or electric. They needed to be clear on the reasons as to why they would impose electric vehicles on the taxi trade.
- Members queried whether the 28 licences that were reserved for saloon cars could be reserved for electric vehicles.

*The Licensing Manager confirmed that the licences that were already in use could be transferred to electric vehicles if the licence holders purchased an electric vehicle. It was the regulation on new licences that was restricted. He wanted the Policy to be fair for all drivers and customers.*

- Members queried how the spare licence would be allocated or would it be kept as a spare. They further queried how that would work in the New Council.

*The Licensing Manager advised that the saloon car licences were not due to be reallocated because of the Policy and that he wanted all taxis to be wheelchair accessible and saloon cars were not. He confirmed that there were many options to be discussed for the future of taxi licences in the New Council.*

- Members queried whether the amount of licences should be demand related and whether a consultation had been carried out.

*The Licensing Manager gave information on un-met demand consultations.*

- Members requested that work was carried out by the Licensing Department on the introduction of electric vehicles and that a report be brought back to the next Committee meeting.

*The Licensing Manager advised that there would not be enough time to carry out the work.*

- Some of the Members agreed that the licence should be issued with the condition that it was for electric use only and therefore exempt from the regulations on disabled access and if another saloon licence became available, it would have the same condition placed upon it.

**RESOLVED** that the Committee requested that the Licensing Manager investigated the use of electric vehicles and amended the Policy for the future and the New Council.

The Meeting closed at 5.20 pm