



Licensing Committee

Tuesday 8th December 2020

10.00 am

A virtual meeting using Zoom meeting software

The following members are requested to attend the meeting.

Chairman: David Recardo
Vice-chairman: Wes Read

Dave Bulmer
Tony Lock
Crispin Raikes
Linda Vijeh
Martin Wale

Jason Baker
Karl Gill
Jenny Kenton
Kevin Messenger
Paul Rowsell

Jeny Snell
Andy Soughton
William Wallace

Any members of the public wishing to address the meeting need to email democracy@southsomerset.gov.uk by 9.00am on Monday 7th December 2020.

The meeting will be viewable online by selecting the committee meeting at: https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA

For further information on the items to be discussed, please contact democracy@southsomerset.gov.uk

This Agenda was issued on Monday 30 November 2020.

Alex Parmley, Chief Executive Officer

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

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.

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.

Licensing Committee agendas and minutes are published on the Council's website at: <http://modgov.southsomerset.gov.uk/ieDocHome.aspx?bcr=1>

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

Meetings of the Licensing Committee are held quarterly usually in the Council Offices, Brympton Way - However during the coronavirus pandemic these meetings will be held remotely via Zoom video-conferencing. For more details on the regulations regarding remote/virtual meetings please see the Local Authorities and Police and Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 as part of the Coronavirus Act 2020.

Public participation at meetings (held via Zoom)

We recognise that these are challenging times but we still value the public's contribution to our virtual meetings. The public are able to participate and contribute to the meeting, you will need to be able to access the meeting through Zoom at: <https://zoom.us/join>

Each individual speaker shall be restricted to a total of three minutes. The period allowed for public participation usually shall not exceed 15 minutes.

If you would like to address the virtual meeting during public participation, please email democracy@southsomerset.gov.uk by 9.00am on Monday 7th December 2020. When you have registered, an officer will provide the details to join the meeting. The Chairman will invite you to speak at the appropriate time during the virtual meeting.

If you would like to view the meeting without participating, please see: https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA

Virtual meeting etiquette:

- Consider joining the meeting early to ensure your technology is working correctly.
- Please note that we will mute all public attendees to minimise background noise. If you have registered to speak during the virtual meeting, the Chairman will unmute your microphone at the appropriate time.
- Each individual speaker shall be restricted to a total of five minutes.
- When speaking, keep your points clear and concise.
- Please speak clearly – the Councillors are interested in your comments.

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>

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Licensing Committee

Tuesday 8 December 2020

Agenda

Preliminary Items

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

To approve as a correct record the minutes of the previous Licensing Committee meeting held on 8th September 2020.

To approve as a correct record the minutes of the Licensing Sub Committee meetings held on 18th August 2020.

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 the Taxi Licensing Policy (Pages 5 - 7)

6. Exclusion of Press and Public (Page 8)

7. Permission to apply for a non-wheelchair accessible Hackney Carriage Vehicle Licence (Confidential) (Pages 9 - 12)

8. Date of Next Meeting (Page 13)



Update on the Taxi Licensing Policy

Executive Portfolio Holder: Cllr. Tony Lock, Protecting Core Services
Strategic Director: Netta Meadows, 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 request that the Committee agree that all future requests for non-wheelchair accessible vehicles (WAVs) (less than 5 years old) can be approved by officers without the need to refer to committee, unless the percentage of hackney carriage vehicles that are wheelchair accessible falls to 30%. If and when the percentage reduces to 30% any requests will be referred to the Licensing Committee for a decision.

Public Interest

There is a requirement in the current Taxi Policy for 20% of licensed hackney carriage vehicles to be wheelchair accessible. Currently there are 117 licensed hackney carriages and 47 of these are wheelchair accessible meaning that approximately 40% of vehicles are wheelchair accessible. This significantly exceeds the required percentage. Applicants wishing to request a licence for a non-WAV, have to date been referred to the Licensing Committee for a decision. This report is requesting that whilst the percentage of WAVs remains higher than required by our policy that officers can process the licence application without the need for referral to the committee. If this request is approved it will mean that taxi operators are able to get vehicles on the road quicker and it will save Officer and Committee time.

Recommendation

That the Licensing Committee agree that officers can process and grant applications for non-WAVs without the need for referral to committee unless the number of wheelchair accessible vehicles falls back to 30%.

Background

Full Council adopted the South Somerset District Council – Taxi Licensing Policy at the meeting of 6th November 2014 and agreed that it was to take effect from 1st April 2015. Section 6.30 of the policy contains the relevant provisions and the policy states at paragraph 6.32 that all new vehicle applications be restricted to purpose built wheelchair accessible vehicles (WAV's) until 20% of the total hackney carriage fleet is wheelchair accessible.

Also in section 6.32 the policy required that once the percentage reached or exceeded 20% the policy would be reviewed. This review is underway but has been delayed due to covid work demands.

For applications of WAVs, officers will process these and issue licences accordingly. Whilst the percentage of WAVs was lower than 20% any requests for non-WAVs had to be referred to committee as it was a departure from our agreed policy.

This situation has now changed. There are currently 117 licensed Hackney Carriage Vehicles; 47 of these are WAV which means that the percentage of the licensed Hackney Carriage Vehicles that are wheelchair accessible is around 40%, significantly above the required percentage (data analysed 19/11/2020).

Twenty-seven requests to licence non-WAVs have been considered by the Committee and all were approved.

Approval of non-wheelchair accessible vehicles

If the recommendation is approved it would be possible to grant licences (subject to the usual application process and vehicle test) for non WAVs (less than 5 years old) hackney carriages without the need to submit a request and wait for the outcome at the Committee meeting.

The current policy is under review and the percentage of fleet split may change in future or be removed altogether. At the last committee it was agreed that our policy be aligned with other Somerset authorities. This work is ongoing and was awaiting the outcome of a consultation process by Sedgemoor DC. This is now concluded with minimal comment and work to align our policy will now continue.

Officers would draw the committees' attention to a report by Disabled Persons Advisory Committee (DPTAC) which was published recently in August 2020. This report highlights that whilst there is a need for WAVs, these in themselves can pose difficulties for other disability groups who do not use a wheel chair. The report therefore recommends a mixed fleet of wheelchair accessible and conventional cars to meet the needs of all passengers. The contents of the report will be considered during the review of the policy.

Financial Implications

- Officer time to review Policy.
- The above costs associated costs can be met from existing budgets.
- Reduction in time spent on writing reports for individual requests and time spent considering the reports by the Committee.



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

There are no carbon emission implications of this report.

Equality and Diversity Implications

- There are no direct equality implications arising from this report.
- A further report regarding any proposed changes to the policy as informed by the evidence will be supported by an Equality Impact Assessment.

Privacy Impact Assessment

No change to processing of personal data.

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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Exclusion of Press and Public

The Committee is asked to agree that the following item (Agenda Item 7) 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.

Document is Restricted

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

Document is Restricted



Date of Next Meeting

Members are asked to note that the next scheduled meeting of the Licensing Committee will be held on Tuesday 9th March 2021 commencing at 10.00am.
