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A meeting of **General Licensing Committee** will be held in Committee Room 2, East Pallant House on **Monday 1 November 2021** at **9.30 am**

MEMBERS: Mr G McAra (Chairman), Mr A Moss (Vice-Chairman), Mrs T Bangert, Miss H Barrie, Mr J Elliott, Mr G Evans, Mr C Page, Mr H Potter, Mr A Sutton and Mrs S Taylor

SUPPLEMENT TO AGENDA

Part 1

2 **Minutes** (Pages 1 - 4)

To approve as a correct record the minutes of the General Licensing Committee meeting held on 24 June 2021.

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Minutes of the meeting of the **General Licensing Committee** held in Committee Room 2, East Pallant House on Thursday 24 June 2021 at 9.30 am

Members Present: Mr G McAra (Chairman), Mrs T Bangert, Mr J Elliott, Mr H Potter, Mr A Sutton and Mrs S Taylor

Members not present: Mr A Moss, Mr G Evans, Mrs S Lishman and Mr C Page

In attendance by invitation:

Officers present: Ms G Di Lauro (Litigation and Licensing Lawyer), Miss K Davis (Democratic Services Officer), Mr D Knowles-Ley (Licensing Manager) and Mr J Munday (Licensing Support Assistant)

42 **Chairman's Announcements**

Apologies were received from Mr Evans, Miss Lishman, Mr Moss and Mr Page.

43 **Minutes**

RESOLVED

That the minutes of the meeting held on 10 February 2021 be approved and signed by the Chairman as a correct record.

44 **Urgent Items**

There were no urgent items.

45 **Declarations of Interests**

There were no declarations of interests.

46 **Public Question Time**

There were no public questions.

47 **The Council's proposed Hackney Carriage and Private Hire Licensing Policy and Conditions 2021**

The Committee considered the above report (copy attached to the official Minutes).

Mr Knowles-Ley introduced the report and outlined the key points. He reminded members that a draft Hackney Carriage and Private hire Policy and Conditions was presented to the Committee at its last meeting held on 10 February 2021. The public consultation exercise had taken place with 13 written responses being received, all attached and shown in full at Appendix A. All responses have been carefully considered by Officers and each individual response has then been summarised on the 'Register and Summary of Responses' provided at Appendix B. The proposed amendments to the Policy were highlighted by track changes, set out in Appendix C of the supplement agenda.

In particular members' attention was drawn to Section 14 - Medical Fitness/D4 medical Examination and Section 20 – Vehicle Specification, Age, Appearance and Environmental Impact.

With respect to Section 14, Mr Knowles-Ley advised that the proposal is to increase the age from which holders of a Private Hire or Hackney Carriage Driver's Licence require an annual Group 2 medical from 60 to 65 and to also increase the frequency for Group 2 medicals for anyone under 65 from 4 to 5 years. He explained that these changes would make us consistent with the Driver and Vehicle Licensing Agency's existing requirements for licensed lorry and bus drivers. Whilst it is proposed to slightly relax the requirements around medicals, it is proposed within the policy that a Medical Practitioner can direct that a Group 2 medical should be carried out more frequently at any age where deemed necessary in their professional opinion.

Mr Knowles-Ley advised that with respect to Section 20, that it is still intended to proceed with the proposed 10 year age policy, however it is now proposed to include an exemption in respect of any fully electric vehicle from the policy in order to encourage more electric vehicles onto the licensed fleet.

Mr Knowles-Ley advised that whilst reviewing the draft policy during the consultation period, officers have also made some further suggested amendments. These relate to Section 20 and Sections 20.3 through to 20.6 of the proposed policy. They include a proposal to refuse any vehicle which appears to have been 'illegally altered', for example this would include vehicles where the recorded mileage appears to have decreased without reasonable explanation. To increase the minimum amount of tread for tyres on a Private Hire vehicle from 1.6mm to 2.0mm which is consistent with the current requirement for Hackney Carriage Vehicles, setting a requirement for glazing in Private Hire Vehicles which is again consistent with licensed Hackney Carriage vehicles, prohibiting the use of trailers, roof boxes or roof bars without the express consent of the Licensing Authority and setting out the need to ensure that when changing the vehicle registration mark of a licensed vehicle that it is undertaken in a controlled manner in conjunction with the Licensing Authority.

The final proposed change to the policy which Mr Knowles-Ley made reference to was in relation to Section 9, Convictions, Cautions, Investigations, Pending matters for which the proposed revised wording has been provided in the 'Agenda Update Sheet'. Mr Knowles-Ley advised that very recently it was identified that the Disclosure and Barring Service who process and issue the results of Criminal Record Checks, have put in place new filtering rules. As such there are new rules

regarding the automatic disclosure of cautions and convictions on a DBS certificate. Enhanced DBS certificates must always include all convictions for specified offences, adult cautions for specified offences and all convictions that resulted in a custodial sentence, no matter when they were received. It is therefore the case that some historic convictions that an individual may have will be filtered out and consequently it is necessary to revise the wording of Section 9 in order to align with the new DBS rules. This change naturally also has a direct impact on our current Convictions Policy and therefore Mr Knowles-Ley advised that the proposal is to amend our current Convictions Policy by adding, as an Addendum, a new Paragraph 3.21 as shown on the Agenda Update Sheet.

Mr Knowles-Ley advised that the intention is that if the policy is adopted, that conditions relating to Vehicle, Driver and Operator Licences will be updated with the assistance of Legal Services. This is to ensure that they adequately reflect all policy requirements. He added that the eventual conditions attached to vehicle, driver and operator licences will be kept under review and, where it is necessary to update any, such revisions will subsequently be reported to this committee.

It was confirmed that any new policy is adopted for a period of 5 years however kept under review during this period and revised where necessary

Responding to members questions, with regards to the vehicle age policy, this had been introduced as a response to the ongoing Climate Emergency and the need to reduce vehicle emissions. It was considered that the proposed five year transitional vehicle renewal period would provide vehicles owners enough time to plan for replacing their vehicle. However, officers were aware that the infancy of the infrastructure for charging electric vehicles at present created issues for being able to carry out long journeys. In respect of LPG systems, these made a vehicle heavier resulting in more wear and tear, and energy use. It was confirmed that new vehicles would be required to meet the most recent Euro standard or that which immediately preceded it and it was considered that the proposed 10 year age limit was proportionate. Checks are presently carried out to establish that applicants were who they said they were, including provision of photographic evidence. It was confirmed that a requirement of the MOT test was to check the vehicle registration plate included the postcode of the plate producer. Concern was raised regarding the proposal to change the age requirement for the Group 2 annual medical from 60 to 65 plus, as this older age group were more likely to have medical issues. Officers advised that drivers were required to notify the DVLA as well as the District Council of certain medical issues and drivers were required to indicate when making an application to renew a licence whether their medical history had changed.

The Chairman thanked the officers for the work they had undertaken.

RECOMMENDATION TO CABINET

That the revised proposed Hackney Carriage (Taxi) and Private Hire Licensing Policy 2021 at Appendix C be approved.

48 **Consideration of any late items as follows:**

There were no late items.

The meeting ended at 10.10 am

CHAIRMAN

Date: