



NOTICE OF MEETING

Meeting:	Licensing Committee
Date and Time:	Tuesday, 4 June 2019 at 7.00 pm
Place:	Council Chamber, Civic Offices, Fleet
Telephone Enquiries to:	Alison Cottrell, 01252 774131 committeeservices@hart.gov.uk
Members:	Butler (Chairman), Clarke, Collings, Crisp, Delaney, Farmer, Harward, Kennett, Tomlinson, Wildsmith, Wright

Joint Chief Executive

CIVIC OFFICES, HARLINGTON WAY
FLEET, HAMPSHIRE GU51 4AE

AGENDA

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AND BRAILLE ON REQUEST**

- 1 At the start of the meeting, the Lead Officer will confirm the Fire Evacuation Procedure.**
- 2 The Chairman will announce that this meeting may be recorded and that anyone remaining at the meeting has provided their consent to any such recording – please see our protocol on [Attending and Reporting Meetings](#).**

1 ELECTION OF VICE CHAIRMAN

2 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 2 April 2019 are attached for confirmation and signature as a correct record. **Paper A**

3 APOLOGIES FOR ABSENCE

4 DECLARATIONS OF INTEREST

To declare disclosable pecuniary, and any other, interests.

5 CHAIRMAN'S ANNOUNCEMENTS

6 SHARED LICENSING SERVICE UPDATE

To inform members of the current position of the shared licensing service, and update members on the current activities of the Licensing team in Hart DC and on progress of the revised Taxi policy before consultation commences. **Paper B**

RECOMMENDATION

That members approve any changes to the consultation version of the Taxi policy.

Date of Despatch: 28 May 2019

The Human Rights Act 1998 (the Act) has incorporated part of the European Convention on Human Rights into English Law. Any recommendations, either to take or not to take enforcement action, have been assessed to make sure that the decision is compatible with the Act. If there is a potential conflict, this will be highlighted in the individual report on the relevant item.

LICENSING COMMITTEE

Date and Time: Tuesday, 2 April 2019 at 7pm

Place: Council Chamber, Civic Offices, Fleet

Present:

COUNCILLORS

Blewett, Butler, Clarke, Collings, Drage, Forster, Gray, Harward, Kennett, Parker

Officers

Robert Draper	Basingstoke Shared Licensing
Sophy Brough	Basingstoke Shared Licensing
Louise Misselbrook	Basingstoke Shared Legal Services
Alison Cottrell	Committee Services

25 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 5th February 2019 were confirmed and signed as a correct record.

26 APOLOGIES FOR ABSENCE

None.

27 DECLARATIONS OF INTEREST

None declared.

28 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that on the 15 March 2019 between 10 pm and midnight, she had enjoyed an evening with the Taxi Enforcement Team; she indicated that the evening had been very informative and that she had been impressed with the good relationship between the taxi drivers and our Officers.

The Chairman wished to express her thanks to Councillor Mike Morris who had resigned his position as a Councillor on the 12 March 2019, but who had been on the Licensing Committee for a number of years; she offered thanks for his commitment to the meetings and hearings he had taken part in and appreciated the input he had made.

29 DRAFT TAXI POLICY

Members considered the draft Hackney Carriage and Private Hire Policy (Taxi Policy) for consultation and discussed the following:

- That page 2 of Appendix I details a summary of the changes to the current policy.

- That the policy has no financial impact on the authority and that taxi licensing recovers some of its costs from the trade but that enforcement costs are borne by the authority.
- That we have a choice as to whether some areas of the trade are subsidised as an incentive, perhaps for low emission or electric vehicles.
- Whether or not the policy as it stands offers sufficient incentives to the trade.
- Whether incentives could be considered to encourage investment in cleaner vehicles.
- That from the 8 April 2019 the Ultra-Low Emissions Zone kicks in in London and that there will be a £22.50 tax if a non-compliant vehicle enters this area.
- That over the next few months, consideration and consultation with the trade should take place to look at encouraging the use of cleaner vehicles.
- That on pages 9 and 10 of the document the numbering was incorrect and whether Accessibility and Access should be together.
- That our current policy is silent on wheelchair lifts.
- That we currently have 3 wheelchair accessible vehicles in the Hart area.
- The supply and demand for wheelchair accessible vehicles and the cost of these vehicles.
- That many people use the Motability Scheme to provide their own transport.
- That Hart used to have a Hart Access Group which could have provided us with information, but that the group no longer existed.
- The varying types of wheelchair accessible vehicles and their costs.
- That a local operator indicated that he had had 2 wheelchair accessible vehicles, but that they had made him a huge loss.
- That any conversion of a vehicle to accommodate a wheelchair lift had to meet required standards and be certified.
- The maximum age/mileage of vehicles and whether or not the policy could be drafted to accommodate a number of options to go forward to consultation, and then to ascertain the most popular way forward.
- That most authorities use age as a term for vehicle duration as vehicles mileage is easy to clock, whilst age is much harder to disguise.
- Whether or not hybrids or ev's could be aged extended to 10 years.
- Whether or not purpose built vehicles are more able to continue to 10 years whilst others are not.
- Speed limiters and the benefits or otherwise of vehicles with these fitted.
- That vehicles need to be safe and acceptable to the public.
- That what 'good' could look like could be put forward by the Licensing Manager, learning from best practice elsewhere.
- Whether or not random testing of oil and water levels and battery condition were carried out.
- That there would be a shift away from the MOT and tick test to a more structured compliance test arrangement and that the Licensing Team would go out to tender for nominated vehicle testing stations for vehicles.
- That the testing stations to be considered should be green testing stations.
- That the test would cost approximately £55 per vehicle.
- That part of the test is that a vehicle is actually driven.
- That the proposal would be that vehicles up to five years of age would be tested once per year and then twice per year after that.
- The overall cost of licensing a vehicle per year.

- CCTV and that whilst the current policy is quiet on this, it does not stop drivers installing their own systems.
- That should Hart mandate that taxis should have CCTV installed, Hart would become the data controller.
- That the typical cost of installing CCTV is £600.
- That roof signs must be fitted and whether or not these should be standardised.
- That in relation to the Knowledge Test, whether or not a little more flexibility should be given in relation to how the test is undertaken.
- That mandatory training will come into force for all drivers in relation to safeguarding, trafficking and child sexual exploitation.
- All drivers will be required to sign up for the DBS Update Service. This costs 313 per year. The new DfT guidance recommends that authorities do annual DBS checks on drivers. These checks are free if done through the Update Service.
- That Appendix F incorporate guidelines from the Institute of Licensing in relation to a drivers previous convictions and that this is rapidly becoming the national standard and should therefore be adopted.
- That an authority can only licence those who have a right to work in the UK.
- That consideration is being given to introducing a knowledge test for new Private Hire Operators.
- That a taxi has to carry a first aid kit but that a driver does not have to be first aid trained.
- The range of 6 seater electric vehicles.
- That there is no longer a requirement for a taxi to carry a fire extinguisher.
- Spare wheels and tyre inflation kits and whether or not a reference should be made to run flat tyres.
- That it is no longer a legal requirement to display no smoking signs in vehicles and whether or not no smoking signs should remain in the policy.
- Lost property and how this should be dealt with.
- That wedding and funeral vehicles are exempt from being licensed.
- Whether or not a taxi should show a dog sign indicating that they will accept assistance dogs.
- That the only reason in law that a taxi cannot take an assistance dog is if they have a medical exemption certificate displayed in the vehicle.
- That it may be beneficial to the public for the driver to not only wear a statutory driver's badge, but that a further id could be displayed inside the vehicle, rear facing, to enable passengers to see it.
- The process for any driver appeals and that this would bring local accountability.

DECISION

- I. Members having considered the new draft Taxi Policy, approved the Policy to go out to public consultation.

30 SHARED LICENSING SERVICE 2019 – 2024

Members considered the recent changes in the Shared Licensing Service, together with the new SLS plan, objectives and draft timeline. Members considered:

- The history of the Shared Licensing service.
- That the vision is to provide a service fit for the 21st century.

- That policies become harmonised.
- That Harts Street Trading Policy is almost the same as the Basingstoke policy.
- That the Licensing team would be based at Basingstoke.
- The cost of transferring data from the Hart system to the Basingstoke system.
- Cost savings.
- That members felt that they had not been fully aware of the impact in proceeding with the Shared Licensing Service.
- Councillor Parker proposed a motion, seconded by Councillor Forster, that the Shared Licensing Service document be submitted to the next available Overview and Scrutiny Committee for their consideration.

DECISION

- I. Members voted unanimously that the Shared Licensing Service Report be submitted to Overview and Scrutiny Committee for their consideration.

The meeting closed at 21.50 pm.

LICENSING

DATE OF MEETING: 4 JUNE 2019

TITLE OF REPORT: SHARED LICENSING SERVICE UPDATE

Report of: Interim Regulatory Services Manager, Shared Licensing Service

Cabinet member: Councillor Sara Kinnell, Regulatory

1 PURPOSE OF REPORT

- 1.1 Inform members of the current position of the shared licensing service.
- 1.2 Update members on the current activities of the Licensing team in Hart DC
- 1.3 Update members of progress of the revised Taxi policy before consultation commences.

2 OFFICER RECOMMENDATION

- 2.1 That members approve any changes to the consultation version of the Taxi policy.

3 BACKGROUND

- 3.1 The draft version of the Taxi policy was approved at the last meeting subject to a number of revisions. Officers will provide a verbal report on the revisions and the options available for consultees.

4 CONSIDERATIONS

- 4.1 The committee need to consider the information provided and determine if they agree options proposed.

5 FINANCIAL IMPLICATIONS

- 5.1 There are no specific financial implications.

**Contact Details: Robert Draper, robert.draper@basingstoke.gov.uk
Direct dial: 01256 845296**

LICENSING COMMITTEE

Date and Time: Tuesday, 4 June 2019 at 7pm

Place: Council Chamber, Civic Offices, Fleet

Present:

COUNCILLORS

Butler (Chairman), Clarke, Collings, Delaney, Farmer, Harward, Kennett, Tomlinson, Wildsmith, Wright

Officers:

Sophy Brough	Interim Licensing Team Leader
Angela Semowo	Licensing Officer
Debbie Berry	Basingstoke Shared Legal Services
Alison Cottrell	Committee Services

1 ELECTION OF VICE CHAIRMAN

Councillor Kennett was elected as Vice Chairman for the year 2019/20.

2 MINUTES OF THE PREVIOUS MEETING

Councillor Kennett asked that the reference to 'cost savings' on page 15 of the draft minutes be removed and that the penultimate point be amended to read 'members complained that they had not been informed of any proposal of any change to the shared licensing service although implementation of the shared licensing vision had been going on for three months'. This was unanimously supported by those Councillors present, and subject to those changes, the minutes of the meeting held on 2 April 2019 were confirmed and signed as a correct record.

3 APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillor Crisp.

4 DECLARATIONS OF INTEREST

None declared.

5 CHAIRMAN'S ANNOUNCEMENTS

None.

6 SHARED LICENSING SERVICE UPDATE

Members were informed of the current position of the shared licensing service, updated on the current activities of the Licensing team in Hart DC and on progress of the revised Taxi policy before consultation commences.

Members considered two changes to the proposed Taxi policy namely:

- That on page 12 there are 5 options in relation to the age of vehicles that will go out to consultation.
- That on page 16 consideration be given to the standardisation of livery or roof box appearance – and that this will go out to consultation.

Members also discussed:

- The proposed penalty points scheme detailed on page 64 of the draft policy which would be a change in the way in which enforcement had previously been addressed.
- The way in which any proposed changes would be implemented following the consultation; that some changes would be immediate and others would have a time frame for compliance.
- That it was hoped that the consultation would commence on 5 June 2019.
- The period of time from ending the consultation and being able to bring the policy back to Licensing Committee.
- The new laws on emissions and the use of cleaner vehicles.

Shared Service Update

Members were informed that the Shared Service Licensing Vision was going to Overview and Scrutiny on the 18 June 2019 and members would be further updated following that Committee.

Enforcement Night – 14 June 2019

Members were advised that an Enforcement Night was planned for the 14 June 2019 and that the focus would be on the Licensing Act 2003 and going into premises. The Licensing Officers advised that if any members were interested in going along, they could take two people and to contact Officers to make the necessary arrangements.

Taxi Marshalls

The Police and Safer North Hampshire had requested a meeting to consider Taxi Marshalls operating outside of Moo Moos. A meeting was taking place on the 21 June 2019 to look at this and discuss possible training. Any budget for this would come from the Police and Safer North Hampshire in the first instance. If the Council is required to pay for the scheme, the cost would have to come out of driver fees and the Council would need to go out to tender. It was felt that Marshalls would deal with some of the issues being experienced at present (prevention of fights and drivers refusing to take short fares) and would ensure that all taxis were behaving. Members were advised that Marshalls are usually SIA trained and would operate outside of the club until 4 am in the morning.

Enforcement Action

Enforcement action in Hartley Wintney was progressing with a review application expected from the Home Office. Members were advised that a supporting report would be written when the review came in.

Members were also advised that licensed premises in Blackwater were being investigated with interviews under caution being arranged. Members would be advised of the outcome in due course.

Gambling Policy

Members were advised that a review of the Gambling Policy was due by the end of the year, but that changes were expected to be minimal. It was also noted that a more comprehensive fee review would take place in 2020.

DECISION

That the consultation version of the Taxi policy be approved.

The meeting closed at 7.40 pm