

LICENSING COMMITTEE

25 September 2012

Present:

Councillor Moira Macdonald (Chair)

Councillors Owen, Choules, Clark, Dawson, D J Henson, Leadbetter, Payne, Shiel and Tippins

Apologies:

Councillors Pearson, Robson, Ruffle and Winterbottom

Also present:

Assistant Director Environment, Licensing Solicitor, Solicitor and Member Services Officer (HB)

45 **Declarations of Interest**

No declarations of interest were made by Members.

46 **Licensed Vehicle Emissions Policy**

The Assistant Director Environment presented the report informing Members of a proposed policy of regulating the vehicles licensed as Hackney Carriages in the City by way of the emission standard of engine used to propel the vehicle rather than the current method of limitation by way of age of the vehicle.

RESOLVED that a Licensed Vehicle Emissions Policy be adopted so that:-

- (1) with effect from 7 January 2013 Exeter City Council removes the age limitation policy in favour of the emissions policy;
- (2) the newly adopted policy will require all newly licensed Hackney Carriage vehicles to attain Euro standard five as a minimum;
- (3) with effect from January 2016, all vehicles currently licensed will achieve Euro Standard 5 as a minimum; and
- (4) the policy will be reviewed at intervals of no longer than five years to ensure the highest achievable level of control of emissions is adopted.

(Report circulated)

47 **Live Music Act 2012**

The Senior Licensing Officer presented the report informing Members of changes to the Licensing Act 2003 and advising on the potential impact this new legislation would have when in place, the provisions to come into force on 1 October 2012.

RESOLVED that the report be noted.

(Report circulated)

48 **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

RESOLVED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the consideration of the following item on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part I, Schedule 12A of the Act.

TOWN POLICE CLAUSES ACT 1847/TRANSPORT ACT 1985, SECTION 16

49 **Application for the issue of a Hackney Carriage Vehicle Licence (Mr S.H.)**

Councillor Macdonald, the Chair, left the meeting prior to this application being considered. Councillor Owen, the Deputy Chair, chaired the remainder of the meeting.

The Senior Licensing Officer reported that Mr SH had applied for a hackney carriage licence. Mr SH had indicated that, if successful, he would put a London type cab (TX4 Elegance) onto the circuit.

Mr SH did not attend the meeting. He had sent an email advising that he was unable to attend but that he was prepared for the Committee to determine his application in his absence. The email also indicated that he remained of the view that there existed a latent unmet demand for taxis in the City.

RESOLVED that it be determined that Mr SH's application be refused. The Licensing Committee was satisfied with the conclusion of the Mouchel Ltd. survey (published in September 2010) together with a top-up survey published in March 2011 that there was no significant unmet demand for hackney carriages in Exeter. Mr SH had adduced no evidence that cast doubt on the survey findings or persuaded the Licensing Committee that there was significant unmet demand. The Licensing Committee found no reasons that justified a departure from the policy of not exercising its discretion to grant further hackney carriage licenses.

(Report circulated to Members)

The meeting commenced at 5.30 pm and closed at 6.13 pm

Chair