

LICENSING COMMITTEE

5 February 2019

Present:

Councillor Keith Owen (Chair)

Councillors Begley, Hannan, D Henson, Holland, Pattison, Sills, Warwick and Wright

Apologies:

Councillors Sheldon, Branston, Mitchell and Newby

Also present:

Environmental Health and Licensing Manager, Litigation Solicitor, Principal Licensing Officer and Democratic Services Officer (MD)

1 **Minutes**

The minutes of the meeting held on 20 November 2018 were taken as read and signed by the Chair as a correct record.

2 **Declarations of Interest**

No declarations of interest were made by Members.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

3 **Licensing Fees and Charges 2019/20**

The Environmental Health and Licensing Manager presented the report for the proposed licensing fees and charges for 2019/20. He explained that it was a statutory obligation to set the fees on an annual basis, to cover the costs of various licensing functions. He referred Members to Appendix B, highlighting that the figures showed a comparison between the 2018/19 fees and the proposed 2019/20 fees and charges.

Members were informed that the Licensing Committee had previously adopted an Animal Licensing Policy in 2017. However, the Department for Environment, Food & Rural Affairs (Defra) had introduced changes to animal licensing, which increased the costs to the Council's licensing management. The fees would require an increase to reflect this and would be reported to the Licensing Committee at the next meeting in March 2019.

Members were reminded that, following the European Services Directive amendments, the licence fee was now split into two parts, as follows:

- Part A - would cover the processing costs of an application, and was payable in full on submission of the application and would be non-refundable;
- Part B – would cover the costs associated with running and enforcing the licensing scheme. It would only be payable if a licence was granted, and would need to be paid before the licence became operational.

He summarised that the fees would cover the cost of increased inspections and other licensing functions, but would remain reasonable. They would be advertised for 28 days in the Civic Centre reception and in newspapers coming into effect on 1 April 2019. Any challenges would require that they be brought back to the next Licensing Committee in March 2019.

RESOLVED that the proposed Fees and Charges for the period 1 April 2019 to 31 March 2020 be approved as set out in the report.

4 **Amendments to the Practices and Procedures for the control of Hackney Carriage and Private Hire Vehicles, Drivers and Operators**

The Principal Licensing Officer presented the report to consider amending the current taxi policy to include rear loading wheelchair accessible vehicles. Members were provided with an overview of the representations received, and were referred to the advantages for rear loading vehicles, as detailed in the report. He also referred Members to a written representation received from the Chairman of the Exeter St David's Taxi Association.

Following the introduction of the 2015 Taxi Policy, side loading wheelchair accessible vehicles had been considered better for health and safety reasons and more dignified for the passengers. The Policy further advocated that all existing rear loading Hackney vehicles, would need to be replaced with Euro 6, emission standard, side loading vehicles by 2020. It was the opinion of the taxi trade, that there were advantages for using rear loading vehicles and had requested that the policy be amended to allow replacement vehicles to include the Euro 6, emission standard, rear loading vehicles.

The Principal Licensing Officer discussed the views of a focus group commissioned by 'Living Options Devon', which had evaluated the advantages and disadvantages of each type of wheelchair accessible taxi. There had been a preference for rear loading vehicles, but health and safety assessments had considered, the side loading option, to still be preferable. The Licensing Authority was, sympathetic to the needs of the taxi trade, and considered having a mixed fleet of 'Euro 6' side loading and 'Euro 6 rear' loading vehicles, would be the preferred policy amendment.

In response to questions from Members, the Principal Licensing Officer and the Environmental Health and Licensing Manager, explained:-

- A change to the policy would enable the fleet to have both side loading and rear loading, wheelchair accessible vehicles. No change would mean, that the rear loading Hackney Carriage vehicles would need to be replaced with side loading Euro 6 vehicles by 2020;
- The focus group undertaken by 'Living Options Devon' had worked with wheelchair users, looking at a variety of vehicles. There had been recognition that different users would use both vehicle types, but rear loading vehicles were the favoured option for high sided wheelchair users;
- The taxi fleet consisted of 50% saloon and 50% wheel chair accessible vehicles. The wheel chair accessible vehicles would be split between 25% side loading and 25% rear loading vehicles;
- The policy change, would not alter the current policy regarding emissions.

Members discussed amending the policy, commenting that: the majority of wheel chair users, had chosen rear loading vehicles for safety reasons; it was important to hear the views of the taxi trade; the Licensing Committee needed to ensure the needs and safety of the public were met; having greater flexibility in the policy would ensure there was more choice for wheelchair passengers when being loaded and unloaded.

The Chair expressed his thanks to the Principal Licensing Officer for the hard work undertaken in writing the report.

Following a proposal from Councillor Wright and seconded by Councillor Sills, Members voted unanimously for option A, as detailed in the report recommendation.

RESOLVED that the Licensing Committee approve the amendment to the Taxi Policy to allow existing rear loading Hackney carriage vehicles, to be replaced with Euro 6 emission standard rear loading vehicles, and that the Taxi Policy, Hackney carriage vehicle specification be amended accordingly.

The meeting commenced at 5.30 pm and closed at 6.05 pm

Chair