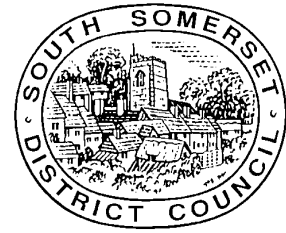


South Somerset District Council

Notice of Meeting



Licensing Committee

Making a difference where it counts

Tuesday 8th April 2014

10.00 am

Council Chamber B

Council Offices

Brympton Way

Yeovil

Somerset

The public and press are welcome to attend.

Disabled Access is available at this meeting venue.



If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Jo Morris** on Yeovil (01935) 462462

email: jo.morris@southsomerset.gov.uk, website: www.southsomerset.gov.uk

This Agenda was issued on Monday 31st March 2014

Ian Clarke, Assistant Director (Legal & Corporate Services)

**This information is also available on our
Website: www.southsomerset.gov.uk**



INVESTOR IN PEOPLE

Licensing Committee Membership

Chairman Nigel Mermagen
Vice-Chairman Martin Wale

Dave Bulmer	Jenny Kenton	Wes Read
John Vincent Chainey	Tony Lock	Linda Vijeh
Pauline Clarke	Paul Maxwell	William Wallace
Nick Colbert	Roy Mills	
Tony Fife	David Norris	

South Somerset District Council – Corporate Aims

Our key aims are: (all equal)

Jobs - We want a strong economy which has low unemployment and thriving businesses
 Environment - We want an attractive environment to live in with increased recycling and lower energy use
 Homes - We want decent housing for our residents that matches their income
 Health and Communities - We want communities that are healthy, self-reliant, and have individuals who are willing to help each other

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 licensing 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.

Meetings of the Licensing Committee are held bi-monthly at 10.00am normally on the second Tuesday of the month in the Council Offices, Brympton Way.

Licensing Committee agendas and minutes are published on the Council's website www.southsomerset.gov.uk

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

Further information can be obtained by contacting the agenda co-ordinator named on the front page.

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Licensing Committee

Tuesday 8th April 2014

Agenda

Preliminary Items

1. To approve as a correct record the Minutes of the Licensing Committee meeting held on 11th February 2014
2. Apologies for Absence
3. Declarations of Interest

In accordance with the Council's current Code of Conduct (adopted July 2012), 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. A DPI is defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012 No. 1464) and Appendix 3 of the Council's Code of Conduct. A personal interest is defined in paragraph 2.8 of the Code and a prejudicial interest is defined in paragraph 2.9. In the interests of complete transparency, Members of the County Council, who are not also members of this committee, are encouraged to declare any interests they may have in any matters being discussed even though they may not be under any obligation to do so under any relevant code of conduct.

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.

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6. Date of Next Meeting	5

Licensing Committee – 8th April 2014

5. Hackney Carriage and Private Hire Policy

Executive Portfolio Holder: Peter Seib, Regulatory and Democratic Services
Strategic Director: Vega Sturgess, Strategic Director Operations & Customer Focus
Assistant Director: Laurence Willis, Assistant Director - Environment
Service Manager: Nigel Marston, Licensing Manager
Contact Details: nigel.marston@southsomerset.gov.uk or (01935) 462150

Purpose of the Report

To present options for the Licensing Committee to consider that will achieve an increase in the number of Wheelchair Accessible Vehicles (WAV's) and also to improve the quality and age of the licensed fleet of vehicles within South Somerset.

Recommendations

1. Licensing Committee adopt Option 2 from the options outlined in the report and authorise the Licensing Manager to make the necessary amendments to the draft Hackney Carriage & Private Hire Policy.
2. The draft Hackney Carriage & Private Hire Policy (as amended by 1 above) is presented to Full Council for approval.

Background

The Equality Act 2010 promotes positive action to advance equality of opportunity. Positive action means action which enables or encourages persons who share a protected characteristic (e.g. disability) to overcome or minimise that disadvantage and participate in the activity by meeting their needs. A wheelchair accessible vehicle policy is a proportionate and reasonable positive action to alleviate disadvantage experienced by wheelchair users in accessing taxis. Such a policy should facilitate hires from the street or from dedicated taxi ranks.

Following the consultation on the draft Hackney Carriage and Private Hire Policy it was decided that the Licensing Manager should come up with options to address the two main issues identified during the consultation. These were requirements in relation to the age of vehicles and the provision of WAV's.

The Licensing Manager has considered the alternatives available and has presented 3 options which will address both of the issues identified.

Option 1

As proposed in the original draft policy. Hackney Carriage Vehicles (HCV's) will only be licensed for the first time within 28 days of first registration with the DVLA. All HCV's to be accessible to disabled people; including, but not only those people that need to travel in a wheelchair.

This option would ensure that anyone regardless of disability would be able to hire a HCV on the street or from a designated rank. The requirement for new vehicles would ensure that vehicles have been tested to the latest safety and emissions standards.

This option was strongly opposed during the consultation by HCV proprietors who felt that this was a step too far and would prove to be too costly for them.

Option 2

All HCV's to be less than 3 years old from first registration with DVLA. All HCV's to be accessible to disabled people; including, but not only those people that need to travel in a wheelchair.

This option would ensure that anyone regardless of disability would be able to hire a HCV on the street or from a designated rank. The requirement for newer vehicles would ensure that vehicles have been tested to a reasonable safety and emission standard.

This was an option put forward by several proprietors' during the consultation and would appear to satisfy both parties' requirements. Vehicle availability in this market also appears to be reasonable.

Option 3

No age limits on vehicles at first registration but any new vehicle applications to be restricted to WAV's until 50% of the fleet is wheelchair accessible.

This would ensure operators' had access to the widest pool of available vehicles, although the reality would be that these would be by the nature of the trade high mileage vehicles that were unsuitable for licensing with other authorities with maximum age limits.

This option would also not guarantee the availability of a WAV on the rank, although it would improve the availability.

Financial Implications

None at this stage. There is the possibility of legal challenge to the policy, however as the proposed policy has been reconsidered and amended in light of the consultation it is thought that any challenge would be unlikely to succeed.

Implications for Corporate Priorities

The new policy will positively impact on Focus 1 – Jobs, the standards for taxis will be raised resulting in more employment opportunities for all within the trade.

The proposed policy will also have a positive impact on Focus 2 – The Environment, as the emission standards for taxis will be stricter, resulting in less pollution to the environment. Focus 3 – Health & Wellbeing will also be positively affected as access to taxis for people with disabilities will be improved.

Other Implications

None

Background Papers: *Equality Impact Assessment – Hackney Carriage & Private Hire Policy*
Department for Transport – Taxi & Private Hire statistics 2013
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/226355/taxi-private-hire-statistics-2013.pdf
Licensing Committee 11/02/14 and 08/10/13

Licensing Committee – 8th April 2014

6. Date of Next Meeting

Members are asked to note that the next scheduled meeting of the Licensing Committee will take place on Tuesday 10th June 2014 at 10.00 am at the Council Offices, Brympton Way Yeovil.

*Jo Morris, Democratic Services Officer, Legal and Democratic Services SSDC
jo.morris@southsomerset.gov.uk or (01935) 462055*
