



Licensing Committee

Tuesday 24th March 2020

10.00 am

**Council Chamber B
Council Offices
Brympton Way
Yeovil, BA20 2HT**

(disabled access and a hearing loop are available at this meeting venue)



Members listed on the following page are requested to attend the meeting.

The public and press are welcome to attend.

If you would like any further information on the items to be discussed, please contact the Case Officer on 01935 462055 or democracy@southsomerset.gov.uk

This Agenda was issued on Monday 16 March 2020.

Alex Parmley, Chief Executive Officer



This information is also available on our website
www.southsomerset.gov.uk and via the mod.gov app

Licensing Committee Membership

The following members are requested to attend the meeting:

Chairman: David Recardo
Vice-chairman: Wes Read

Dave Bulmer
Tony Lock
Crispin Raikes
Linda Vijeh
Martin Wale

Jason Baker
Karl Gill
Jenny Kenton
Kevin Messenger
Paul Rowsell

Jeny Snell
Andy Soughton
William Wallace

South Somerset District Council – Council Aims

South Somerset will be a confident, resilient and flexible organisation, protecting and improving core services, delivering public priorities and acting in the best long-term interests of the district.

- Protect core services to the public by reducing costs and seeking income generation.
- Increase the focus on Jobs and Economic Development.
- Protect and enhance the quality of our environment.
- Enable housing to meet all needs.
- Improve health and reduce health inequalities.

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.

Recording and photography at council meetings

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting.

Any member of the public has the right not to be recorded. If anyone making public representation does not wish to be recorded they must let the Chairperson know.

The full 'Policy on Audio/Visual Recording and Photography at Council Meetings' can be viewed online at:

<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%20council%20meetings.pdf>

Information for the Public

The Licensing Committee shall be responsible for those 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.

The Statutory Licensing Committee has responsibility for all activities under the Licensing Act 2003 and the Gambling Act 2005 except for policies and fees. Established under the Licensing Act 2003, it exercises the functions of the Licensing Authority which itself is the Council.

The Other Licensing Committee can be responsible for all other licensing matters. Established by the Council under discretionary power contained in Section 101 of the Local Government Act 1972.

It is lawful for the membership of the two committees to be the same, but they are differently constituted and run under different powers.

Meetings of the Licensing Committee are held quarterly 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.

Licensing Committee

Tuesday 24 March 2020

Agenda

Preliminary Items

1. **To approve as a correct record the Minutes of the Previous Meeting held on 14th January 2020**
2. **Apologies for Absence**
3. **Declarations of Interest**

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), 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.

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.

Items for Discussion

5. **Update on the Taxi Licensing Policy** (Pages 5 - 6)
6. **Exclusion of the Press and Public** (Page 7)
7. **Permission to apply for a non-wheelchair accessible Hackney Carriage Vehicle Licence (1) (Confidential)** (Pages 8 - 11)
8. **Permission to apply for a non-wheelchair accessible Hackney Carriage Vehicle Licence (2) (Confidential)** (Pages 12 - 15)
9. **Permission to apply for a non-wheelchair accessible Hackney Carriage Vehicle Licence (3) (Confidential)** (Pages 16 - 19)
10. **Permission to apply for a non-wheelchair accessible Hackney Carriage Vehicle Licence (4) (Confidential)** (Pages 20 - 23)
11. **Date of Next Meeting** (Page 24)

Agenda Item 5

Update on the Taxi Licensing Policy

Executive Portfolio Holder: Cllr Tony Lock, Protecting Core Services
Director: Martin Woods, Service Delivery
Service Manager: Vicki Dawson, Lead Specialist – Environmental Health, Service Delivery
Lead Officer: Rachel Lloyd, Specialist – Licensing, Service Delivery
Contact Details: rachel.lloyd@southsomerset.gov.uk or 01935 462134

Purpose of the Report

1. To update the Committee on the review of the Taxi Licensing Policy and wheelchair accessible vehicles.
2. Request that the Committee approves work on a Somerset Taxi Licensing Policy.

Public Interest

3. This is a report to update the Licensing Committee on the review of the Taxi Licensing Policy and to request that a recommendation to create a Somerset wide hackney carriage and private hire policy is approved. The Council currently has a Taxi Licensing Policy, this includes application requirements for hackney carriage and private hire driver applications, types of vehicles that can be licensed as well as a condition that at least 20% of the licensed hackney carriages (taxis) are wheelchair accessible. The report also contains information about the current number of licensed wheelchair accessible vehicles.

Recommendation

4. That the Licensing Committee:
 - a. Approves work to create a Somerset Hackney Carriage and Private Hire Licensing Policy.

Background

5. Full Council adopted the South Somerset District Council – Taxi Licensing Policy at the meeting of 6th November 2014 and agreed that it was to take effect from 1st April 2015.
6. As the Policy has been in force for 5 years it is due for review.

Taxi Licensing Policy

7. A meeting has been arranged to create a Somerset wide hackney carriage/private hire policy.
8. A legal opinion on the enforceability of a having a proportion of wheelchair accessible vehicles has been sought. The legal advice was not available at the time of writing the report. There are currently 112 licensed hackney carriage vehicles and 41 of these are wheelchair accessible (39%) (data analysed 13/03/2020). In December 2019 there were 111 licensed hackney carriages and 48 of these were wheelchair accessible (48%).
9. Full consultation will take place in relation to any changes made to the wheelchair accessible vehicle section as well as the overall Policy.

Financial Implications

10. Officer time to review Policy.
11. The above costs associated costs can be met from existing budgets.

Council Plan Implications

12. To promote a strong and growing economy with thriving urban, rural and land-based businesses
13. To enable health communities which are cohesive, sustainable and enjoy a high quality of life.

Carbon Emissions and Climate Change Implications

14. Nothing which affects the report on “greenhouse gas emissions from local authorities own estate and operations”.

Equality and Diversity Implications

15. There are no direct equality implications arising from this report.
16. A further report regarding any proposed changes to the policy as informed by the evidence will be supported by an Equality Impact Assessment.

Privacy Impact Assessment

17. No change to processing of personal data.

Background Papers

- South Somerset District Council - Taxi Licensing Policy
 - South Somerset District Council decisions taken by South Somerset District Council 6th November 2014
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Agenda Item 6

Exclusion of the Press and Public

The Committee is asked to agree that the following items (agenda items 7-10) be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under paragraph 1: "Information relating to any individual for, or recipient or form recipient of any service provided by the authority." It is considered that the public interest in maintaining the exemption from the Access to Information Rules outweighs the public interest in disclosing the information.

Agenda Item 7

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Agenda Item 8

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
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Agenda Item 9

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Agenda Item 10

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
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Agenda Item 11

Date of Next Meeting

Members are asked to note that the next scheduled meeting of the Licensing Committee will take place on Tuesday 9th June 2020 at 10.00am in the Council Chamber, Council Offices, Brympton Way, Yeovil.
