

South Somerset District Council

Minutes of a meeting of the **Licensing Committee** held at the **Virtual Meeting using Zoom meeting software on Tuesday 8 September 2020.**

(10.00 - 11.30 am)

Present:

Members: Councillor David Recardo (Chairman)

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|-----------------------------|-----------------|
| Jason Baker | Karl Gill |
| Dave Bulmer (until 11.15am) | Kevin Messenger |
| Tony Lock | Paul Rowsell |
| Crispin Raikes | Jeny Snell |
| Wes Read | Andy Soughton |
| Linda Vjeh (until 10.40am) | William Wallace |
| Martin Wale | |

Officers

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|---------------------|---|
| Michelle Mainwaring | Case Officer (Strategy & Commissioning) |
| Jo Morris | Case Officer (Strategy & Commissioning) |
| Becky Sanders | Case Officer (Strategy & Commissioning) |
| Rachel Lloyd | Specialist - Licensing |
| Emily Johnson | Case Officer, Service Delivery |
| Vicki Dawson | Lead Specialist (Environmental Health) |
| Jo Boucher | Case Officer (Strategy & Commissioning) |

Note: All decisions were approved without dissent unless shown otherwise.

37. To approve as a correct record the Minutes of the Previous Meetings (Agenda Item 1)

The minutes of the Licensing Committee held on 14th January 2020 were approved as a correct record and signed by the Chairman.

The minutes of the Licensing Sub Committees held on 9th March 2020, 25th June 2020, 4th August 2020 and 17th August 2020 were approved as a correct and signed by the Chairman.

38. Apologies for Absence (Agenda Item 2)

An apology for absence was received from Councillor Jenny Kenton.

39. Declarations of Interest (Agenda Item 3)

There were no declarations of interest.

40. Public Participation at Committees (Agenda Item 4)

A member of the public addressed the committee and raised concern regarding the Royal Marine Inn in Yeovil. As a resident of nearby Charlton Close, he reported that tables and chairs had been placed in the car park area and were creating a noise issue and smoke pollution to local residents. He advised that the Police had also attended several incidences at the premises since it had reopened. He noted that the premises had a beer garden and did not believe it was necessary to use the car park as an extra seating area which was close to neighbouring properties. He concluded that the local ward member was aware of the situation.

In response, the Chairman noted the concerns raised which had also been raised at the Area South Committee the previous week. He advised that an officer from Environmental Health had spoken to the landlord who advised that the tables had been positioned in the area covered by CCTV which was a licensing and police requirement.

The ward member said that the situation was unacceptable and requested that a meeting be held with officers at the premises as soon as possible.

The Lead Specialist – Environment agreed to look into the situation.

41. Update on the Taxi Licensing policy (Agenda Item 5)

The Specialist – Licensing presented the report. She advised that Councils were required to implement the Statutory Taxi and Private Vehicle Standards as part of their normal procedures unless there were compelling reasons not to. She explained that the standards set out a number of new and amended practices such as keeping a record of any licences that had been refused, working with the Police to update them on any action that the Council had taken in relation to licences, drivers being subject to 6 monthly Disclosure and Barring Service (DBS) checks, annual basic disclosure required for vehicle applicants and private hire operator applicants and licence holders and the use of CCTV in licensed vehicles.

The Lead Specialist – Environmental Health said that members were being asked to approve work to create a Somerset Hackney Carriage and Private Hire Licensing Policy. She updated that Sedgemoor District Council had recently updated their policy and were currently going through a consultation process. The other districts would use the information from the consultation process to inform any changes and would look as a whole group to use the revised policy and align all the districts to the same policy.

She referred to the wheelchair accessible vehicle part of the policy and advised that Sedgemoor District Council had proposed to fix a number of wheelchair accessible vehicles for hackney carriages and would allow those to be replaced going forward but the figure would be capped. For example, if a driver currently had a non-wheelchair accessible vehicle and wished to replace it with a new one they would be allowed to do so but the old licence would be surrendered and replaced with a new one for a non-wheelchair vehicle. As those licences lapsed they would not be replaced and the numbers would gradually be reduced with a move towards wheelchair accessible vehicles only but would allow those with non-wheelchair accessible vehicles to continue to operate. Any proposed changes to the policy would be subject to full consultation within each district area.

In response to questions raised, members were informed of the following:

- Vehicles would be defined as being useable by wheelchair users and this could be further refined if two types of vehicle were required and different types of wheelchair accessibility vehicles could be incorporated into the policy;
- Private hire vehicles would have no restrictions;
- It was the intention to have a Somerset-wide Hackney Carriage and Private Hire Licensing Policy that each district had signed up to but would have to go through the political process for each individual district. If this was not achievable, each district could have their own policy but would be aligned to the other district policies;
- The licensing service continued to look for efficiencies in delivering the service. The increase in work around checking disclosures and barring was being looked at with the other Somerset authorities with a view to partners undertaking some of the checks;
- Drivers paid the cost of the criminal records check and could also subscribe to the update service. The driver could pay a fee to enable them to take their certificate to another authority;
- Drivers were required to report any convictions or offences to the Council;
- The standards recommend that a database is used to record information about licences that had been refused;
- It was possible that additional training for the Licensing Committee would be required to cover issues such as Safeguarding of Children.

During the discussion, members raised the following comments:

- The ultimate aim of all local authorities in Somerset was to amalgamate services to make them more efficient and accountable and a Somerset Hackney Carriage and Private Hire Licensing Policy was in line with this;
- Customers needed to have a choice of vehicle as a lot of customers preferred not to travel in a wheelchair accessible vehicles. In response, the Lead Specialist – Environment asked members to forward any comments received about the use of different types of vehicle which would assist in the policy going forward.

At the conclusion of the debate, it was proposed and seconded to approve the recommendations as outlined in the report. A vote was taken and the recommendations were unanimously approved.

- RESOLVED:** (1) That work be approved to create a Somerset Hackney Carriage and Private Hire Licensing Policy; and
(2) That the recently published Statutory Taxi and Private Hire Vehicle Standards be noted.

(Voting: unanimous in favour)

42. Exclusion of press and public (Agenda Item 6)

- RESOLVED:** That Agenda Items 7-16 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.

43. Permission to apply for a non-wheelchair accessible Hackney Carriage Vehicle Licence (1) (Confidential) (Agenda Item 7)

This item was considered in closed session.

The Committee was addressed by the applicant who explained the reasons for his request.

Members unanimously approved the request to allow the taxi driver to submit an application for a vehicle (in addition to his current licensed vehicle) which is less than 5 years old and not wheelchair accessible.

RESOLVED: That the request to allow the taxi driver to submit an application for a vehicle (in addition to his current licensed vehicle) which is less than 5 years old and not wheelchair accessible be approved.

(Voting: unanimous in favour)

44. Permission to apply for a non-wheelchair accessible Hackney Carriage Vehicle Licence (2) (Confidential) (Agenda Item 8)

This item was considered in closed session.

Members considered the request submitted by the applicant outlined in the agenda report.

Members unanimously approved the request to allow the taxi driver to submit an application for two vehicles (one would replace an existing licensed vehicle and one would be an additional vehicle) which are less than 5 years old and not wheelchair accessible.

RESOLVED: That the request to allow the taxi driver to submit an application for two vehicles (in addition to his current licensed vehicle) which are less than 5 years old and not wheelchair accessible be approved.

(Voting: unanimous in favour)

45. Permission to apply for a non-wheelchair accessible Hackney Carriage Vehicle Licence (3) (Confidential) (Agenda Item 9)

This item was considered in closed session.

The Committee was addressed by the applicant who explained the reasons for his request.

Members unanimously approved the request to allow the taxi driver to submit an application for a vehicle which is less than 5 years old and not wheelchair accessible.

RESOLVED: That the request to allow the taxi driver to submit an application for a vehicle (to replace the existing vehicle) which is less than 5 years old and not wheelchair accessible be approved.

(Voting: unanimous in favour)

46. Permission to apply for a non-wheelchair accessible Hackney Carriage Vehicle Licence (4) (Confidential) (Agenda Item 10)

This item was considered in closed session.

Members considered the request submitted by the applicant outlined in the agenda report.

Members unanimously approved the request to allow the taxi driver to submit an application for a vehicle (to replace a vehicle which was licensed for private hire) which is less than 5 years old and not wheelchair accessible.

RESOLVED: That the request to allow the taxi driver to submit an application for a vehicle (to replace a vehicle which was licensed for private hire) which is less than 5 years old and not wheelchair accessible be approved.

(Voting: unanimous in favour)

47. Permission to apply for a non-wheelchair accessible Hackney Carriage Vehicle Licence (5) (Confidential) (Agenda Item 11)

This item was considered in closed session.

The Committee was addressed by the applicant who explained the reasons for his request.

Members unanimously approved the request to allow the taxi driver to submit an application for a vehicle which is less than 5 years old and not wheelchair accessible.

RESOLVED: That the request to allow the taxi driver to submit an application for a vehicle (in addition to his current licensed vehicle) which is less than 5 years old and not wheelchair accessible be approved.

(Voting: unanimous in favour)

48. Permission to apply for a non-wheelchair accessible Hackney Carriage Vehicle Licence (6) (Confidential) (Agenda Item 12)

This item was considered in closed session.

Members considered the request submitted by the applicant outlined in the agenda report.

Members unanimously approved the request to allow the taxi driver to submit an application for a vehicle (in addition to the current licensed wheelchair accessible vehicle) which is less than 5 years old and not wheelchair accessible.

RESOLVED: That the request to allow the taxi driver to submit an application for a vehicle (in addition to the current licensed wheelchair accessible vehicle) which is less than 5 years old and not wheelchair accessible.

(Voting: unanimous in favour)

49. Permission to apply for a non-wheelchair accessible Hackney Carriage Vehicle Licence (7) (Confidential) (Agenda Item 13)

This item was considered in closed session.

Members considered the request submitted by the applicant outlined in the agenda report and the subsequent statement submitted by the applicant which was read to members at the meeting by the Licensing Specialist.

Members unanimously approved the request to allow the taxi driver to submit an application for two vehicles which are less than 5 years old and not wheelchair accessible.

RESOLVED: That the request to allow the taxi driver to submit an application for two vehicles which are less than 5 years old and not wheelchair accessible be approved.

(Voting: unanimous in favour)

50. Permission to apply for a non-wheelchair accessible Hackney Carriage Vehicle Licence (8) (Confidential) (Agenda Item 14)

This item was considered in closed session.

Members considered the request submitted by the applicant outlined in the agenda report.

Members unanimously approved the request to allow the taxi driver to submit an application to licence a vehicle as a Hackney Carriage (to replace one of the existing licensed vehicles) which is less than 5 years old and not wheelchair accessible.

RESOLVED: That the request to allow the taxi driver to submit an application to licence a vehicle as a Hackney Carriage (to replace one of the existing licensed vehicles) which is less than 5 years old and not

wheelchair accessible be approved.

(Voting: unanimous in favour)

51. Permission to apply for a non-wheelchair accessible Hackney Carriage Vehicle Licence (9) (Confidential) (Agenda Item 15)

This item was considered in closed session.

Members considered the request submitted by the applicant outlined in the agenda report.

Members unanimously approved the request to allow the taxi company to submit applications for six vehicle licences which are less than 5 years old and not wheelchair accessible.

RESOLVED: That the request to allow the taxi company to submit applications for six vehicle licences (in addition to existing vehicles) which are less than 5 years old and not wheelchair accessible be approved.

(Voting: unanimous in favour)

52. Permission to apply for a non-wheelchair accessible Hackney Carriage Vehicle Licence (10) (Confidential) (Agenda Item 16)

This item was considered in closed session.

The Committee was addressed by the applicant who explained the reasons for his request.

Members unanimously approved the request to allow the taxi driver to submit an application for a vehicle (in addition to the existing licensed vehicle) which is less than 5 years old and not wheelchair accessible.

RESOLVED: That the request to allow the taxi driver to submit an application for a vehicle (in addition to the existing licensed vehicle) which is less than 5 years old and not wheelchair accessible be approved.

(Voting: unanimous in favour)

53. Date of Next Meeting (Agenda Item 17)

Members noted that the next scheduled meeting of the Licensing Committee would be held on Tuesday 8th December 2020 at 10.00am.

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Chairman

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Date