
GENERAL LICENSING COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, Kent, ME10 3HT on Thursday, 27 October 2016 from 7.00pm - 7.25pm.

PRESENT: Councillors Tina Booth, Roger Clark, Mark Ellen, Paul Fleming, Lesley Ingham (Chairman) and Ben Stokes.

OFFICERS PRESENT: Mohammad Bauluck, Philippa Davies, Tom Dunn, Mark Radford and Angela Seaward.

ALSO IN ATTENDANCE: Councillors Nicholas Hampshire and Alan Horton.

APOLOGIES: Councillors Cameron Beart and June Garrad.

965 EMERGENCY EVACUATION PROCEDURE

The Chairman ensured that those present were aware of the emergency evacuation procedure.

966 MINUTES

The Minutes of the Meeting held on 7 July 2016 (Minute Nos. 774 – 778) were taken as read, approved and signed by the Chairman as a correct record.

The Licensing Sub-Committee meetings held on 30 September 2016 (Minute Nos. 905 – 911) and 30 September 2016 (Minute Nos. 912 – 918) were accepted by the Chairman.

967 DECLARATIONS OF INTEREST

No interests were declared.

Part B Minutes for Information

968 PUBLIC SESSION

The Chairman advised that no requests to register to speak had been received.

969 UPDATE ON THE HACKNEY CARRIAGE LICENSING FUNCTION

The report provided Members with information and guidance on a new draft 'Statement of Hackney Carriage and Private Hire Policy', which required Member approval for public consultation.

The Director of Corporate Services apologised for the late arrival of Appendix I of the report, 'Hackney Carriage and Private Hire Licensing Policy 2016-19'.

The Director of Corporate Services explained that the consultation document needed to be sent out, and Appendix I was a starting point, and a work in progress. He highlighted the importance of the service and how it was perceived by users. He explained that the new document indicated that the service needed to be handled differently to how it had been in the past, and referred to Rotherham Council and the issues that had taken place there. The Director of Corporate Services explained that the Policy was about public safety and the Hackney Carriage Licensing functions needed to be properly regulated. There had been a lot of discretion in the previous Policy document and this had made it difficult to enforce.

The Cabinet Member for Safer Families and Communities and the Director of Corporate Services had discussed the Policy and had considered it was about safety and safeguarding, and about making passengers feeling safe, and arriving safely at their destination. The Policy was also about changing behaviour, and having a robust framework to work to. The Licensing Team had looked at best practice methods whilst they had been updating the Policy.

The Director of Corporate Services suggested that delegation be given to him, the Chairman and the Head of Legal Services to amend the Policy, prior to it going out for consultation, and he invited the Licensing Officer to go through specific points and key changes in the Policy.

The Licensing Officer gave an overview of the new Policy. He explained that a new Probationary Badge was being proposed. The Badge would last for six months, and be for private hire drivers only. A probationary driver would need to be supervised by a mentor, who would have held a Swale driver's badge for at least four years. Once successful, after six months, the driver would be able to apply for a three-year badge. A three month and six month check, by the Authority would be carried out on the probationary drivers to review their performance. The Licensing Officer explained that the vehicle age and specification was staying the same, but the Policy would allow electric vehicles to be used as taxis in the future. Drivers would be issued with a vehicle defect notice if the vehicle was considered a danger to the passenger(s) or public. A vehicle exemption notice would be introduced; this had previously not been clearly defined, but now only applied to luxury brands of vehicles.

The Licensing Officer explained that the Driving Standards Agency driving test would be re-introduced. He advised that the application procedures had now gone online and there would be an online Knowledge Test. Temporary badges would no longer be supplied; reminders would be sent two months in advance for badge renewal, so that drivers could do their renewals without any delay. Private Hire Vehicles would now be required to apply for planning permission if they wanted to run their business from their home. The Licensing Officer also advised that the Penalty Points system had been updated.

In response to a question, the Licensing Officer explained that Swale Borough Council (SBC) could only provide a license for a stretched limousine for up to eight passengers. Any more than that and the licensing was undertaken by Transport for London. Limousines with more than eight passengers were not licensed to travel in the Borough and SBC would carry out 'spot-checks'.

The Chairman proposed that delegated authority be given to the Director of Corporate Services, in consultation with the Head of Legal Services and the Chairman of the General Licensing Committee, to approve the final draft of the Hackney Carriage and Private Hire Licensing Policy for consultation. This was seconded by Councillor Mark Ellen and upon being put to the vote the proposal was agreed.

Resolved:

(1) That delegated authority be given to the Director of Corporate Services, in consultation with the Head of Legal Services and the Chairman of the General Licensing Committee, to approve the final draft of the Hackney Carriage and Private Hire Licensing Policy for consultation.

(2) That a further report setting out the responses to the consultation and the final draft policy for approval and referral to Full Council be received by the Committee.

(3) That the changes to the Knowledge Test format be noted.

Chairman

Copies of this document are available on the Council website <http://www.swale.gov.uk/dso/>. If you would like hard copies or alternative versions (i.e. large print, audio, different language) we will do our best to accommodate your request please contact Swale Borough Council at Swale House, East Street, Sittingbourne, Kent, ME10 3HT or telephone the Customer Service Centre 01795 417850.

All Minutes are draft until agreed at the next meeting of the Committee/Panel