

LICENSING COMMITTEE

1.00 P.M.

6TH JANUARY 2022

PRESENT:- Councillors Colin Hartley (Chair), Mel Guilding (Vice-Chair), Paul Anderton, Mandy Bannon, Gerry Blaikie, Joan Jackson and Jean Parr

Apologies for Absence

Councillors Merv Evans and Abi Mills

Officers in attendance:

Jennifer Curtis	Licensing Manager
Daniel Spencer	Solicitor
Sarah Jones	Licensing Officer
Sarah Moorghen	Democratic Support Officer

31 MINUTES

The minutes of the meeting held on 18th November 2021 were signed by the Chair as a correct record.

32 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIR

There were no items of urgent business.

33 DECLARATIONS OF INTEREST

There were no declarations of interest.

34 EXEMPT ITEM

The Chair advised Members that it had been recommended to exclude the press and public from the meeting for the following items of business on the grounds that they could involve the possible disclosure of exempt information.

It was moved by Councillor Roger Denison and seconded by Councillor Mel Guilding:

“That, in accordance with Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that it could involve the possible disclosure of exempt information, as defined in Paragraph 1 of Schedule 12A of that Act.”

A vote was taken and unanimously carried.

Resolved:

That, in accordance with Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds it could involve the possible disclosure of exempt information, as defined in Paragraph 1 of Schedule 12A of that Act.

**35 EXISTING DUAL HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS LICENCE
(PAGES 6 - 7)**

The Committee received the report of the Licensing Manager for the purpose of determining a review of an existing dual Drivers Licence.

Details of the individual case and the Chair's summary of the decision are set out in Exempt Minute No. 35 in accordance with Section 100A (4) of the Local Government Act 1972.

Decision of the Committee:

The decision of the Committee is set out in Exempt Minute No 35.

36 EXISTING DUAL DRIVERS LICENCE HOLDER (PAGES 8 - 9)

The Committee received the report of the Licensing Officer for the purpose of determining a review of an existing dual Drivers Licence.

Details of the individual case and the Chair's summary of the decision are set out in Exempt Minute No. 36 in accordance with Section 100A (4) of the Local Government Act 1972.

Decision of the Committee:

The decision of the Committee is set out in Exempt Minute No 36.

The meeting adjourned at 3pm and reconvened at 3.10pm.

**37 URGENT BUSINESS REPORT - DECISION TAKEN IN RESPECT OF A REVIEW OF A
DUAL DRIVERS LICENCE**

The Licensing Manager had submitted a report which advised the Committee of a decision that had been taken by the Director of Communities and Environment, in consultation with the Chair of the Licensing Committee under the Council's Urgent Business Procedure. The report was exempt from publication by virtue of Paragraph 1, Schedule 12A of the Local Government Act, 1972 and related to a private hire driver's licence.

Resolved:

(1) That the report be noted.

The press and public were readmitted to the meeting at this point.

38 TAXI LICENSING POLICY - FINAL DRAFT

The Licensing Manager presented a report on the final draft of the Hackney Carriage and Private Hire Licensing Policy for approval by the Committee.

The draft final version of policy was appended to the agenda reports for consideration by the Committee.

It was reported that a 12-week public consultation had taken place between the 12th March and 27th June 2021 and the responses presented to the Committee on the 26th August 2021.

There were a number of key decisions taken at that meeting which had been incorporated and reflected in the body of the policy and appendices including but not limited to, updated driver, vehicle and operator application procedures and licence conditions.

The Licensing Manager advised the Committee that hackney carriage and private hire vehicle specifications including emission standards and lead time arrangements had been reviewed. Signage and livery details had also been strengthened (including roof-signs requirements for hackney carriages).

The Committee was advised that in response to complaints received regarding the availability of wheelchair accessible vehicles, the licensing of 2 further Hackney Carriages would be permitted, with the requirement for the vehicles to be fully wheelchair accessible and zero emission. Any further applications would be referred to Licensing Committee for decision.

Also included in the policy was a commitment to provide an annual report to members of the Licensing Committee, including analysis of complaints and investigations, inspection and compliance matters. Numbers of licences granted, suspended and revoked would also be included in the report. This would assist members with understanding the complexity of matters the Licensing Service deals with and highlight some of the action taken by the team to protect public safety.

The Committee was advised that the licensing of tuk-tuks/pedicabs was void within the policy, a decision was required regarding the licensing of such vehicles in the District and a set of standard conditions required to reflect any decision taken. The Licensing Manager had liaised with Public Realm over proposals to use the pedestrianised area of Morecambe Promenade as a suitable route for such vehicles, and concerns had been raised over the shared space and the difficulties in policing correct use, with public safety at the forefront of considerations. Therefore, a further report would be before members at the next Licensing Committee and the section updated in due course.

Members asked a number of questions in relation to tuk-tuks and the formatting of the final policy document. The Committee also requested that the timetable of reports to the Committee be shared with members.

The Committee recognised the hard work of the Licensing Team in pulling together the final draft of the policy.

It was moved by Councillor Roger Dennison and seconded by Councillor Mel Guiding that;

“That the final draft of the Hackney Carriage and Private Hire Licensing Policy is approved by the Committee and referred to Full Council for adoption, with a suggested implementation date of 1st April 2022.”

A vote was taken and unanimously carried.

Resolved:

- (1) That the final draft of the Hackney Carriage and Private Hire Licensing Policy is approved by the Committee and referred to Full Council for adoption, with a suggested implementation date of 1st April 2022.

39 HACKNEY CARRIAGE FARE REVIEW

The Licensing Manager presented a report to update the Committee on the proposal to introduce a new fare tariff in relation to licensed hackney carriages operating in the Lancaster district.

Members of the Licensing Committee were required to refer their findings for decision to the next Cabinet meeting.

The Committee was advised that Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 made provision for the Council to fix the rates of fares within the district for time, distance and all other charges in connection with the hire of a hackney carriage. The current table of fares was appended to the agenda report for consideration by the Committee.

The Committee was informed that the current method of setting hackney carriage fares was to annually apply retail price index (RPI) and ballot drivers of hackney carriages on a potential increase, asking for a Yes/No response to the proposed tariff change.

Members were advised that there had been no fare increase to the tariff used to calculate hackney carriage fares since 2019, when 20p was added to the flag fall. In the absence of any alternative mechanism, it was most appropriate to apply a similar process by way of uplift to flag fall and waiting time.

It was intended that RPI would still be used as the default method to calculate increases annually and every 3 years a full review of the tariff would be undertaken by the Taxi Working Group.

The Committee asked a number of questions about the consultation process.

It was proposed by Councillor Jean Parr and seconded by Councillor Roger Dennison that;

“That a report be submitted to report the Committee’s findings and propose that Cabinet apply an uplift to of 50p to flag fall across 3 tariffs and apply 10p uplift to waiting charges.”

A vote was taken and unanimously carried.

Resolved:

- (1) That a report be submitted to report the Committee’s findings and propose that Cabinet apply an uplift to of 50p to flag fall across 3 tariffs and apply 10p uplift to waiting charges.

Chair

(The meeting ended at 3.40 p.m.)

**Any queries regarding these Minutes, please contact
Sarah Moorghen, Democratic Services - email smoorghen@lancaster.gov.uk**

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of the Local Government Act 1972.

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