

**Note: These Minutes have been amended. Please see Minutes of 22 September 2015 for amendments.**

## **LICENSING COMMITTEE**

### **MINUTES OF THE MEETING HELD ON TUESDAY, 23 JUNE 2015**

**Councillors Present:** Peter Argyle, Howard Bairstow, Jeff Beck (Chairman), Paul Bryant, Jeanette Clifford, Billy Drummond, Adrian Edwards (Vice-Chairman), Sheila Ellison, Manohar Gopal, Tony Linden and Quentin Webb

**Also Present:** Catalin Bogos (Performance Research Consultation Manager), Sarah Clarke (Team Leader - Solicitor), Cheryl Lambert (Technical Officer), Brian Leahy (Senior Licensing Officer), Emilia Matheou (Technical Officer), Julia O'Brien (Principal Licensing Officer) and Amanda Ward (Licensing Officer),

**Apologies for inability to attend the meeting:**

**Councillor(s) Absent:** Councillor Nick Goodes

#### **PART I**

#### **3. Minutes**

The Minutes of the meeting held on 24 March 2015 and 19 May 2015 were approved as a true and correct record and signed by the Chairman.

The Chairman highlighted that as this was the first meeting of the Licensing Committee following the local elections and several new members had joined, it was important to understand that new Members might ask for clarification, particularly with regard to the two items on the agenda that had been discussed at the previous Committee.

#### **4. Declarations of Interest**

There were no declarations of interest received.

#### **5. Taxi Tariff 2015/16**

Brian Leahy introduced (Agenda Item 4) for the Committee to consider objections raised, following the mandatory public notice of a variance in taxi fare as approved by the Committee on 24 March 2015.

Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 required that, following the publication of the notice of variance in the Newbury Weekly News asking for the objections to be notified to the Council, a decision had to be made regarding implementation no later than 30 June 2015.

Brian Leahy informed the Committee that a great number of objections were received which included three letters and a petition signed by 46 members of the trade.

In accordance with section 65 (4) the table of fares had to come into operation no later than 30th June 2015 regardless of whether the Council decided to modify or not. However Members had to consider objections received as a result of the notice.

Brian Leahy suggested that the Committee had to decide on one of the following three options:

1. Confirm the table of fares agreed on the 24th March 2015 in both format and price.

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2. Modify the table of fares both, in format, and price, or by either.
3. Revert back to the tariff already in place in both format and price.

The options with regards to the actual level of tariff were numerous and consideration should be given that: this would be the maximum level that taxi operators would be able to charge; that people's livelihoods depended on them; that enforcement activities would be required and the role of the Council to protect the interest of the public travelling by Taxis. Reference was made to a Court case when the Judge ruled that a legal tariff was not the one set by the Council but the one set by the driver as long as it was not greater than the one set by the Council.

An alternative was to not set a tariff at all and allow each taxi provider to set the level they wished in a competitive market.

The Chairman invited Members of the Committee to ask for clarification on any matters.

Councillor Bryant asked if the five tariff table approved at the previous meeting of the Committee was proposed by the Council and Brian Leahy confirmed that the proposal was received from the taxi trade.

Councillor Webb enquired if amendments to the meters could be set up by the driver and how the change from one tariff to another was being made (from one time zone to another).

Brian Leahy explained that as the meter was a sealed unit, only a number of individuals had the ability to change the settings and reseal. The Council required evidence that any changes had been made by the authorised individuals.

The meters were not calendar meters and the change from one time zone's tariff to another was done manually by the driver.

In addition, the taxi driver could set an arrangement, without using the meter. Section 54 Town Police Clauses Act 1847, prescribed the driver could take a lesser rate if agreed before the commencement of the journey.

In accordance with paragraph 7.12.14 of the Council's Constitution, the Chairman proposed to suspend standing orders to allow members of the trade to participate in the discussion and respond to questions Committee members might have. This was seconded and the Committee voted in favour of this proposal.

The Committee decided to allow first the members of the trade that were objecting to the table of tariffs approved in March 2015 to speak for ten minutes, and then to respond to Councillors' queries followed by those that were in favour for the same amount of time.

Mr. Paul Westbrook, representing a number of taxi drivers in Newbury, informed that in his view the new tariff was not representative of the trade and that he was aware of many objections and that there had been a number of meetings advising that the Council would force the tariff. He also mentioned that previously a similar change resulted in a loss of trade. In his opinion, the new tariff discriminated against vulnerable people and would result in a further foot fall from 2 am to 4 am.

Mr Westbrook commented that the new tariff would lead to competition and confusion in the ranks and would increase the risk of assault and attack due to changes from one week to another. He also believed that the general public did not understand the three levels of tariff and would understand the five levels even less. He highlighted that inflation was low and that the rules were not stopping anyone charging less than the maximum agreed tariff. In his opinion the changed tariff was equivalent to a 2 percent pay rise that only the big companies would benefit from.

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Mr Westbrook expressed concern that the time allocated for him to speak would not allow for a fair hearing. He continued by estimating that there were around 200 people in the borough that would need to change the meters (some to buy new meters) and this would not be popular as they would incur additional costs that they would be unable to recoup, making it more expensive for the trade to operate. He was of the view that the five levels tariff would negatively impact the elderly people in particular and people under the influence of alcohol.

Mr Westbrook considered that had the trade understood that they had an opportunity to provide feedback, the decision would have had more opposition.

Mr Hauxwell added that it would be difficult to explain to customers when they saw £7 on the meter just after they entered into the car. Justifying the fare given by the differences between the five tariffs and three tariffs was a safety matter. He also informed the Committee that some of the meters changed automatically, based on the time.

Mr Hussain expressed concerns about drivers' safety stating that, in his opinion, especially because he was of an Asian background, he had already been attacked due to issues linked with the tariff and making the table of fares more complex would increase the risk.

Mr Hauxwell had informed the Committee of his concerns that the new tariffs could result not only in disputes with the driver but also impact on public order if people started to negotiate the tariffs and decided on which taxi to use in the ranks. He considered that the new table of fares would add more confusion, as people already had difficulty understanding the current three level tariffs. It would not be good for safety or for the reputation of West Berkshire as it might cost more to get into a taxi than the actual journey.

The Chairman invited Members to ask questions.

Councillor Bryant asked the four members of the taxi trade to clarify if they were actually opposing the number of tariffs rather than the level of the tariff, due to their view that the new table of fares brought a greater complexity.

The four members of the trade confirmed that they considered the three tariffs more appropriate and asked that the tariff be set to a reasonable level to bring a return on their investment, rather than starting with a larger tariff which drivers might reduce to be more competitive.

Mr Hauxwell added that competition did not seem to be a problem and that the current system was working. The fare could be discounted by agreement or charged based on the meter. Nobody was suggesting drivers wanted to fix competition. There was a view that if the new tariff was approved, the footfall would go down and would drive people out of business.

Councillor Bryant noted that if five tariffs were introduced, the drivers would be in a position to charge a lower fare.

Mr. John Hauxwell responded that this would create confusion and Mr. Kevin Hauxwell added that they wanted the tariff set at a reasonable level. Under the existing arrangements, a customer and driver could agree a lower fare anyway and that a more complex tariff would erode the customer base and would not benefit anyone.

Councillor Webb pointed out that his understanding was that on the five levels tariff, the fifth tariff referred only to Christmas Day and New Year's Day and Tariff 4 applied only between 02:00 am and 05:59 am. He asked about the number of people impacted by these tariffs and, given the difference in fares for short journeys with the new tariff being cheaper, how many were taking these type of journeys.

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Mr. Kevin Hauxwell replied that drivers that came to the rank go for the jobs for people going a short distance – e.g. Newbury Bank to the train station – less than mile and even if the difference in fare was small that the increase was significant for many people. In addition, a similar journey on tariff 2 would seem to be £4 more expensive on the new tariff and it would be difficult to explain differences especially to the Saturday night customers.

The Chairman asked about the differences in views regarding the interpretation of the impact of the two tables of fares.

Mr. John Hauxwell highlighted that in the morning two identical journeys started at 10 minutes difference before and after 6 am would cost £3 more to get to the train station.

Councillor Tony Linden asked how many of the 200 taxi cabs in West Berkshire they represented.

Mr Hauxwell responded that he would estimate, based on the approximately 25 members who attended the meeting, that were not in favour, about 100 drivers shared his views and probably similarly for the 10 representatives that supported the new tariffs and probably the level of people objecting to the proposal was not evident at the previous meeting.

From an independent driver's perspective it looked like the people that worked in the night would win and the others would lose.

The Chairman invited the representatives of the trade in support of the tariff agreed in March 2015, to address the Committee.

Mr Sheikh addressed the Committee representing the other four members of the trade present.

*(Councillor Howard Bairstow left the meeting at this point to attend to other commitments.)*

Mr Sheikh suggested that based on the divergent views of members of the trade that the Committee should approve the option that Mr Brian Leahy proposed.

The Chairman invited the Members of the Committee to address questions to Mr Sheikh.

After obtaining clarification from Sarah Clarke that questions and comments should be asked for clarification limited to the information presented by the speaker, Councillor Webb asked if the option supported by Mr Sheikh and his colleagues was to set as the maximum level Tariff 4 of the table of fares approved in March 2015.

Mr. Sheikh clarified that they were supporting the proposal to allow market forces to determine the tariffs without the Committee having to approve a table of fares.

Councillor Webb enquired about another proposal that was sent by e-mail directly to the Members of the Licensing Committee. Sarah Clarke clarified that the e-mail mentioned was received outside of the five days time limit and that a decision of the Committee was required with regards to the new table of fares agreed on the 23 March 2015, especially in light of the opposition expressed from members of the trade.

Councillor Bryant asked Mr Sheikh to express a view regarding his preferred option between the five tariffs table approved in March 2015 versus the 3 tariffs table in existence before.

Mr Sheikh stated that his personal opinion was that the revised tariff sent directly to the Members of the Committee the week before the meeting was the one he would prefer.

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Mr Leahy highlighted that in considering the response to objections raised following the mandatory public notice of a variance in taxi fares as approved by the Committee on 24 March 2015, the Licensing Committee Members could decide on any levels of tariff, including the ones mentioned by Mr Sheikh but that Officers were not in a position to comment or advise on it as the proposal was not sent to them.

Councillor Bryant enquired about the appropriateness to defer the decision to a subsequent meeting based on the fact that the additional proposal was not received sufficiently in advance of the meeting and it was not shared with the Officers.

Sarah Clarke advised that because this was part of a formal consultation on the decision agreed in March 2015, the Committee had to make a decision by the 30 June.

Members of the Committee then decided to reintroduce Standing Orders.

Brian Leahy highlighted a potential issue, in that Members had been sent a document to consider, without it being sent to Officers in time for it to be included in the reports for the meeting, and as a result if the Committee considered this unseen proposal it would be open to legal challenge and further objections.

Councillor Bryant summarised his views that the Committee was in a difficult position as the approved five levels tariff was submitted for approval by some members of the trade and subsequently they suggested that it was no longer what they wanted. In addition, as the new proposal was submitted too late for it to be considered he was reluctant to support either the five tariff table of fares approved in March or the revised one subsequently submitted.

Councillor Argyle concurred with Councillor Bryant's views.

Councillor Linden wanted to ascertain from the Officers if the level of support for the five tariff table of fares was overstated and Mr Leahy confirmed that the initial proposal was suggested by the West Berkshire Hackney and Private Hire Association with support from Cabco Owners and Drivers Association and Dolphin Taxis. A number of owners and drivers had responded to the consultation conducted in December 2014 against the proposal and some had responded in favour (as detailed in the report for March 2015 meeting). Mr Leahy informed the Committee that he was not able to make any additional comments beyond what was heard during the meeting and noted that both the representation made from members of the trade against the five levels tariff and also from Mr Sheikh were no longer supporting the option approved in March 2015.

Councillor Webb indicated that he was persuaded by the three levels table of fares rather than the five levels agreed. He recognised that this was a difficult decision following considerable work he had done on assessing the new tariff and not being able to clarify the frequency of the short journeys, as the revised tariff one resulted in a small increase for the short journeys. He also agreed with the issue about the concerns from the trade regarding the £3.80 versus £7 difference of price between two identical journey starting just before or after 6am.

Councillor Webb expressed sympathy for the trade regarding the new tariff. He had some concerns and considered the reasons why the previous 3 levels tariff should be reinstated as: the views from objectors that if the five level tariff was adopted it would discriminate; lead to battering on the rank and create confusion. The trade representatives reported that some customers found it difficult to understand the three level tariff and to go to a five levels would make it more difficult to understand. By operating the 3 tariff system they were in a position to offer a reduction to customers if they so wished to do.

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Councillor Webb also stated that he did have reservations that the tariff 2, as based on his calculations, was cheaper.

Councillor Bryant declared that he would have been delighted to be able to support the five levels tariff but formally proposed to keep the status quo due to it being:

- a well understood table of fares by the people of the trade
- reasonable, as it had been in place for a time
- it was supported by a number of members of the trade.

He also mentioned that he would like the proposals from the trade to be agreed by Members and he did not like the idea that proposals were distributed to Members without Officers or Members having the chance to consider them before the meeting.

The Chairman highlighted that members of the trade were welcome to circulate information to Members of the Committee but they should copy in Officers and it needed to be within the appropriate timescales.

Councillor Argyle seconded the proposal adding his acknowledgement for the views of the drivers that they were worried for their safety and that sticking to the tariffs they knew would be safer.

**RESOLVED that** Members considered and approved the three levels tariff of fares that was in place before March 2015 for use by all West Berkshire Council Licensed Hackney Carriages.

### 6. Taxi Livery and Advertising

Brian Leahy introduced the report to provide Members with further material information following on from the Licensing Committee Meeting held on 24 March 2015. The context of this item was that a paper had been put forward by Mr Sheikh with a set of revised conditions for livery and advertising. Members agreed at the meeting on the 24 March 2015 to task Officers with carrying out some benchmarking on livery standards and to provide photographic material showing current styles of advertising.

In addition, a benchmarking activity was conducted and findings were listed on pages 30-31 of the agenda reports.

*The meeting continued with a PowerPoint presentation of a number of photographs and images of livery and advertising on Taxis, being shared with the Committee.*

Brian Leahy concluded the presentation highlighting that there were a range of different vehicles with different approaches to complying or not complying with the current standards. He also pointed out to Members that they should consider that those signs painted on cars would result in a cost to the trade and suggested that current vehicles should be allowed to maintain the existing standard with the change in livery coinciding with the next change of vehicle.

Brian Leahy proposed an alternative approach, whereby owners and or drivers' vehicles, were permitted to advertise their own or another business on the rear door, within given size parameters, in addition to the Council's livery, with the caveat that sexual, tobacco, alcohol promotions were not advertised.

Councillor Webb referred to page 8 of agenda pack which listed the minutes of the previous meeting where it was established that the proposal from the trade was to allow advertising of their own company within the agreed size of the signs and that he would tend to agree with that proposal.

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Councillor Bryant commented that he was in favour of minimum regulation, in addition to European Union and Central Government requirements, and he wanted a debate to understand what the issues were regarding regulating livery and advertising on taxis. For example, with regards to restrictions on advertising material relating to tobacco, alcohol or of pornographic nature there were already laws in place and the Police would enforce them. He was of the view that as long as the message was decent the Committee should allow taxi drivers to put up whatever advertising they liked.

This view was echoed by Councillor Drummond.

Councillor Linden suggested that following consideration of the benchmarking information included in the report, the Committee might consider the South Bucks District Council approach.

Brian Leahy informed the Members that with this suggested approach, lap dancing or strip club establishments could be advertised as there was no law to restrict it. Councillor Bryant suggested that if the Government was not restricting this type of advertising then the local authority should follow suit.

Councillor Ellison was of the view that some of the images presented to the Committee had showed signage that was tasteful and allowing the trade more freedom would make the district's streets more lively.

Councillor Edwards thanked Brian Leahy for the benchmarking information and the photographs. His view was that the Council should have a certain amount of control and permission should be obtained from Licensing Officers. He acknowledged that this would impact on the workload of Officers. He highlighted the risk of having cabs covered in advertising without any regulation. He suggested that cab drivers should be allowed to put adverts on their cars and should speak to Officers to approve and ensure they conformed with the rules.

Councillor Clifford noted that the suggestions were similar to the approach of Bracknell Forest Council (BFC), described as part of the benchmarking section of the report page 31.

Councillor Bryant, followed on from Councillor Clifford's remark and wanted to ascertain the implication, if in the absence of any regulation from the local authority, the trade had to comply with the British Code of Advertising Practice, Sales Promotion and Direct Marketing. He questioned why it would be necessary to specifically mention the restrictions with regards to political, ethnic, religious, sexual or controversial texts, those for massage parlours or escort agencies etc. as in the approach of BFC.

Brian Leahy clarified that BFC's approach did not specify a particular size of advertising material and that the Code of Practice was not legislation. Sarah Clarke confirmed that the Code of Advertising Practice was not covered by legislation.

Councillor Webb expressed a view that if anything was allowed he would like to see a 'standard', as referred to in the initial proposal from Mr Sheikh.

Councillor Webb made a proposal for a uniform, standardised approach to advertising as in the original proposal from the trade.

Councillor Clifford asked the Committee if they would consider the views of the representatives of the trade.

Councillor Webb pointed out that a lot of the members of the trade had attended the previous meeting when this subject was discussed and there had been no negative comments.

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Councillor Bryant concluded that he intended to vote against the proposal for uniformity; questioning if it was the job of the Committee to make taxis identical and that if people wanted to have their entire car covered with the Union Jack, they should allow them decide for themselves.

In accordance with paragraph 7.12.14 of the Council's Constitution, the Chairman proposed suspension of standing orders to allow Members of the trade to participate in the discussion and respond to questions Committee Members might have. This was seconded and the Committee voted in favour of this proposal.

Mr. Jeffery Williams addressed the Committee and asked Members to consider that advertising messages that indicated that one taxi firm was cheaper than another such as 'we are cheaper than other taxies ask the driver' was not fair and caused problems in the ranks.

Members of the Committee reintroduced Standing Orders.

Mr Leahy remarked that he had asked trading standards about the appropriateness of messages mentioned and they had responded that it was lawful as long it was a statement that could be proven.

The Chairman suggested that leaving an unregulated situation would mean that the local authority would be open to all possibilities and it would be better to consider certain regulations as a minimum, with additional requirements being permitted on Officer's approval.

Councillor Bryant enquired what the grounds would be to reject an application such as suggested by Mr Williams. Brian Leahy confirmed that it would be problematic to decline such an application.

Councillor Bryant proposed the Committee should consider a similar approach to the one used by BFC, with the exception of imposing a fee. This proposal was not seconded.

Councillor Bryant proposed that there should be no regulation, other than a requirement for the two front door stickers to identify the taxis and to ensure any livery and advertising was legal. This was seconded by Councillor Drummond. At the vote this proposal was rejected by the Committee.

Councillor Bryant proposed that the approach being used by BFC (shown in the Agenda pack, page 31) be adopted with an additional requirement that the level of fees should be determined by Officers. This was seconded by Councillor Linden.

At the vote this proposal was carried.

Sarah Clarke requested clarification, as to whether the decision would be applied with immediate effect or alternatively over what timescale the trade would need to comply with the new requirements.

Brian Leahy suggested sending a newsletter to inform all licence holders about the new requirements and to ask them for a retrospective application.

It was highlighted that the conditions used in BFC stated that not more than one company should be advertised and that conditions would be applied at the discretion of the Licensing Officers (e.g. credit cards, no smoking signs would be considered reasonable).

Councillor Argyle remarked that if a vehicle had CCTV it was a legal requirement for a sign to be visible to inform customers that CCTV was on board.

Brian Leahy proposed to send a letter detailing the decision to all operators / proprietors to inform them that conditions applied forthwith. Over the following three months



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operators / proprietors with advertising above the standard would be asked to apply for permission.

Sarah Clarke suggested that three months should be allowed with no enforcement, to give the opportunity for the trade to make an application.

Brian Leahy clarified that the Council's door signage and top hat would be required and any other advertising would be open subject to approval from Licensing Officers.

Councillor Bryant further added that any advertising should not obscure or crowd the Council's signage / top hat.

**RESOLVED that** livery and advertising on West Berkshire taxis should follow the Bracknell Forest Council example with the following requirements:

- All advertising must comply with the British Code of Advertising Practice, Sales, Promotion and Direct Marketing and was the responsibility of the agency or individual seeking the Council's approval to ensure that they do so.
- Advertising containing political, ethnic, religious, sexual or controversial texts, those for massage parlours or escort agencies, nude or semi-nude figures, those seeking to involve the driver as an agent of the advertisers, those likely to offend public taste or those that sought to advertise more than one company would not be approved.
- The level of fees for new applications and for the annual renewals to be established by officers.
- The new approach would not be enforced for three months from the date of this Committee meeting to allow the operators to apply for permissions.

The Chairman adjourned the meeting for 5 minutes.

*(Councillor Gopal left the meeting).*

### 7. **Amendment to Hackney Carriage Proprietors (Vehicle) Conditions and Hackney Carriage Vehicle Drivers Conditions and Byelaws**

Brian Leahy introduced a report to advise Members of the need to make urgent changes to some of the standard conditions for hackney carriages. He informed the Committee that the trade had not yet been consulted and asked that Members decide whether a consultation was needed and if so, what should be consulted upon.

Brian Leahy reported that there was a small number of drivers who refused to pick up people with disabilities. Some drivers did not hold ramps in their vehicles at all times. It had been reported to Officers that one operator had six vehicles but only three ramps. These practices were not legal under the Equalities Act.

It was proposed that the following conditions be added to the Hackney Carriage

Proprietors (vehicle) conditions;

1. Any taxi which was licensed as a wheelchair accessible vehicle (WAV) must have available on the vehicle at all times whilst working, suitable approved equipment (ramps, hoist or other lifting device) for facilitating wheelchair access into the vehicle and such approved straps, belts or other safety restraining equipment as was necessary to ensure that the customer was secure and safe whilst in the vehicle. All such equipment shall be in full working order and where non metal fabrics are used, not broken, frayed or torn.
2. All ramps and other non manufacturers standard equipment provided as disabled access facilities must be stamped, if of metal construction, with the registered number and licence number of the vehicle and all non metal equipment similarly marked by means approved by the Council. Both types of marking shall be of such

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proportions as to be easily readable and in the case of non metal equipment, shall be indelible.

3. Any vehicles fitted with a swivel seat shall ensure that the seat was in good repair and was tested regularly to ensure free movement.
4. Where a temporary licence was applied for in the event of a vehicle having to be taken off the road due to accident damage or breakdown, a licence may be issued for a period of one month. This may be extended in exceptional circumstances for a further two months in total at one monthly intervals.
5. Any replacement vehicle would be required to be like for like (i.e. if a wheelchair accessible vehicle was replaced, it must be substituted with a similar accessible vehicle, if a swivel seated vehicle was replaced it must be substituted for a wheelchair accessible vehicle). A protected vehicle which was not required to provide disabled access by virtue of the licence may be substituted by a like for like type of vehicle.

Brian Leahy informed the Members that as a practical aspect, the Licensing Team would purchase a stamp and provide it to a designated garage where the taxi providers could mark their equipment. The straps could be marked with indelible ink. On inspection, this would evidence that equipment was complete, serviceable and marked for the intended vehicle.

It was proposed that supplementary conditions be added to the Hackney Carriage Vehicle Drivers Licence Conditions & Byelaws. In addition it would be specified that a driver of a hackney carriage standing at any of the stands for hackney carriages appointed by the commissioners, (the Council) or in any street, who refused or neglected, without reasonable excuse, to drive such carriage to any place within the prescribed distance, (within the West Berkshire Council district), to which he was directed to drive by the person hiring or wishing to hire such carriage, would be guilty of an offence. (The penalty currently stood at a fine not greater than £500).

Brian Leahy noted that a driver would be committing an offence if they discriminated against any group of people. There had been six complaints of drivers leaving a customer stranded and not able to get a taxi.

Brian Leahy mentioned a database of disabled accessible vehicles, with agreement from trade, to include the contact details. He also suggested the methods by which customers could complain and where to address their complaints should be publicised as steps to eradicate discrimination in West Berkshire.

The Chairman enquired when these measures would be implemented, should they be approved. Brian Leahy explained that should Members approve the measures in principle, the consultation, if Members decided to require such, could be considered at the 24 September meeting.

Councillor Edwards proposed that proposal on item 2.1 page 36 was approved in its entirety.

Councillor Bryant highlighted that at page 36 item 2.1 defined what equipment was needed.

Brian Leahy suggested that during August 2015, vehicle inspectors, negotiate contracts with garages so that they could agree the appropriate method and what equipment was to be marked. There was already an in-house expert on wheel chair and vehicle accessibility that would be consulted.

Councillor Bryant enquired about Item 5 of the proposal and Brian Leahy clarified that if a wheelchair accessible car had an accident and needed to be replaced, the service should be able to licence a replacement like for like. If the car had a swivel seat it would have to

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be replaced by a disabled accessible vehicle. The long standing town vehicles were exempted.

Councillor Webb expressed his concerns that hammer and punching would be used on the equipment which could potentially compromise the safety of the vehicle and suggested that the marking could be made on a replaceable plate.

Brian Leahy acknowledged Members concerns and mentioned that the military had used this type of approach on their equipment but that the appropriate method would be sought to ensure equipment's strength and safety would not be eroded.

**RESOLVED that** Members considered and approved the principles of the five recommendations without consultation, and that a method should be employed that was safe and does not compromise the material/equipments' characteristics.

Arrangements should be put in place for garages to be up and running by end of August and the new conditions were mandatory as of 31 July 2015.

### 8. Licensing Annual Report

Brian Leahy introduced the report to update Members on Licensing Progress in 2014/15. He had previously organised an annual general meeting with all stakeholders, but many partner organisations, such as the Fire Brigade were unable to attend.

Brian Leahy informed the Committee that Officers had published this report for information, regarding recent changes in legislation and some proposals for the future in the field of licensing. He referred to items of the report that gave an overview of legislation which included changes with regards to live music and recorded music. Also those relevant to Members who were Ward Members, that related to issues which affected the schools, hospitals and village halls. He also highlighted that changes were made in relation to the showing of pre-recorded films which were incidental to another activity.

Brian Leahy referred to the review of the provision of Disability Awareness/Manual Handling training for taxi drivers. He explained that members of the trade had to attend mandatory training on how to help disabled customers as this was a condition for gaining a license. He mentioned that the Government had included such provisions in the Taxi and Private Hire Bill which had unfortunately been dropped, however by including this issue in the Bill, the Government had demonstrated its intentions towards disability awareness throughout the taxi/private hire trade. He was adamant that taking this proposal forward as part of the Council's equality agenda to eliminate discrimination and effect safety was a positive move forward.

**RESOLVED that** Members considered and noted the progress report.

*(The meeting commenced at 6.30 pm and closed at 8.50 pm)*

**CHAIRMAN** .....

**Date of Signature** .....