

Licensing Committee – Meeting held on Tuesday, 27th June, 2017.

Present:- Councillors Cheema (Chair), Parmar (Vice-Chair), Davis, Arvind Dhaliwal, Qaseem (from 6.36pm), Rasib, A Sandhu, Sohal, Strutton and Wright

Apologies for Absence:- Councillor Coad

PART 1

1. Declarations of Interest

None were received.

2. Guidance on Predetermination/ Predisposition

Members confirmed that they had read and understood the guidance on predetermination and predisposition.

3. Minutes of the Last Meeting held on 20th Oct 2016

Resolved - That the minutes of the last meeting held on the 20th October 2016 be approved as a correct record.

4. Establishment of a Licensing Sub-Committee and Appointment of Designated Chairs

The Senior Democratic Services Officer introduced a report seeking nominations for the appointment of Designated Chairs to the Sub-Committee for the 2017/2018 municipal year.

It was confirmed that Members of the Sub-Committee were drawn from the membership of the Licensing Committee on a proportional basis (2 Labour, 1 Conservative). The Committee were advised that in the event that a Conservative Member was unavailable to attend a hearing, the Sub-Committee would comprise three Labour Members.

Resolved –

- (a) That a Licensing Sub-Committee (drawn from the members of the Licensing Committee) be established as required on a proportional basis (2 Labour 1 Conservative) with terms of reference as set out in the Appendix to the report.
- (b) That Councillors Cheema, Parmar and Rasib be appointed to act as designated Chairs of the Sub-Committee for the 2017/2018 Municipal year.
- (c) In the event a Conservative Councillor is unavailable, the Sub-Committee will comprise of three Labour Councillors.

Licensing Committee - 27.06.17

5. Proposed emission standards for Hackney Carriage and Private Hire vehicles

The Licensing Manager, Mr Sims, outlined details of the proposed emission standards for Hackney Carriage and Private Hire Vehicles in Slough as part of the Council's draft Low Emission Strategy (LES). The Council was currently finalising its Low Emission Strategy 2017-25 in line with the Government's new National Air Quality Plans. It was explained that the LES would form part of the Slough Air Quality Action Plan. It was brought to Members attention that the feasibility of implementing a Clean Air Zone in the Borough, that would seek to restrict access to the most polluting commercial vehicles whilst also actively promoting an acceleration in the uptake of ultra-low emission vehicles (ULEV's) was being considered.

The Committee were informed that the majority of journeys taken by taxi and private hire vehicles were short journeys in and around Slough and the immediate neighbouring areas and contributed to the overall air pollution levels. The LES would encourage and support taxi and private hire operators to switch to low emission alternatives. Members were reminded that the results of an Ultra Low Emission Taxi Feasibility Study in 2016, had shown that there was interest from the taxi trade in using electric plug in vehicles. Consequently, in March 2017, the Government awarded Slough £157,000 to install seven rapid charging units for taxis in the Borough.

Mr Whittles, from Low Emission Strategies Ltd, was welcomed to the meeting. Mr Whittles outlined details of the LES proposals for emission standard requirements for taxi and private hire vehicles as well as the proposed implementation dates. It was noted that the Borough was well placed to comply with requirements, that all taxis and private hire vehicles should be ULEV's by 2025; with the third highest number of electric vehicles in the country. In order to facilitate a switch to ULEV's a number of incentives were being considered to promote the uptake of plug in taxis, including:

- Dedicated ULEV taxi ranks at Slough, Burnham and Langley Railway Stations
- Dedicated SMART APP for taxi drivers to book charging facilities
- Discounted charging rates for early adopters
- ULEV's to be prioritised when the Council, and other public services, procure taxi services.

Members raised a number of issues in the ensuing discussion, including the financial implications of purchasing the ULEV's and consultation details. Mr Whittles explained that although purchasing costs for electric taxis were significant at present, as Slough had completed a Ultra Low Emission Taxi Study, Slough drivers would be eligible for the top up grant. In addition, the Council would be organising trade days for taxi drivers to meet with ULEV manufacturers and service providers to discuss opportunities. Furthermore, the proposed emission strategy would prompt new taxi registrations into being the early movers, which meant that there would be a significant number of second hand plug in taxis on the market by 2025.

Licensing Committee - 27.06.17

The Licensing Manager outlined the proposed timetable for the public consultation, which would include meetings with the Taxi Associations and Unions. All licensed drivers would also be written to and the consultation publicised on the Council's website. It was anticipated that the final proposals would be brought to the October 2017 meeting for consideration.

Resolved -

- (a) That details of the report be noted.
- (b) That the proposed low emission standards, as set out in the report, be approved and are subject to consultation.
- (c) That all final proposals, after consultation, be considered at a future Committee meeting.

(Mr Whittles left the meeting)

6. Hackney Carriage and Private Hire Licensing Statement

The Senior Licensing Officer, Mrs Rumney, outlined details of the Hackney Carriage and Private Hire Licensing Statement. Members were informed that the Licensing Statement summarised the requirements and Council's policy and procedures in carrying out its duties under the licensing regime. It was noted that the Licensing Statement was not intended to be a comprehensive legal document and would be reviewed and updated on a regular basis.

In response to a Member query, the Committee was informed that the Licensing Statement did not include any new requirements or procedures that had not been previously approved and therefore a consultation with the hackney carriage and private hire trade had not been conducted.

Resolved – That details of the revised Hackney Carriage and Private Hire Licensing Statement be noted.

7. Implementation of the new provisions of Sections 165 and 167 of the Equality Act 2010

Members were reminded that a report was considered by the Licensing Committee in February 2011 detailing the provisions of the Equality Act 2010 in relation to Hackney Carriage and Private Hire Drivers and Vehicles. It was noted that these duties now placed on all drivers of designated wheelchair accessible vehicles being either a taxi or a private hire vehicle which is placed on the Council's list of designated vehicles and that the Council had a duty to maintain a list of all such designated vehicles. It was brought to Members attention that it was also a criminal offence for drivers of designated vehicles to refuse to carry passengers in wheelchairs, or to fail to provide them with appropriate assistance, or to charge them extra.

Licensing Committee - 27.06.17

The Licensing Manager informed the Committee that the Secretary of State had advised that local authorities put in place transitional arrangements and procedures to ensure full implementation of the requirements of the Act by 1st October 2017. The Committee were informed that the Licensing Team would discuss with the individuals concerned as to what information would be made available on the website. Guidance issued to local authorities outlined the information to be included on the Designated Lists, including details of the make and model of the vehicle, specifying whether the vehicle is a taxi or private hire vehicle and state the name of the operator.

Resolved – That details of the report be noted.

8. Amendments to the Licensing Act 2003 by the Policing and Crime Act 2017 and the Immigration Act 2016

Mr Sims, Licensing Manager, informed the Committee on the changes to the Licensing Act 2003 and associated legislation to prevent illegal working and improve the effectiveness of the alcohol licensing regime in preventing crime and disorder.

Members were advised that there had been a number of changes, including new powers to suspend/revoke licences along with new powers to safeguard and protect children and vulnerable adults. In particular, the following delegations were brought to Members attention:

- Service notice on a Personal Licence holder in consideration to suspend or revoke the Personal Licence – Delegated to Licensing Manager or Senior Licensing Officer.
- Decision to suspend or revoke a Personal Licence where the holder has been convicted of a relevant offence, foreign offence or required to pay an immigration penalty - All cases delegated to Licensing-Sub Committee.

Resolved -

- (a) That amendments to the Licensing Act 2003 be noted.
- (b) That the provisions for the Secretary of State to provide Statutory Guidance on Protecting Children and Vulnerable Adults be noted.
- (c) That the amended delegations of the Licensing Committee with regard to the Licensing Act 2003, as set out in the report, be approved.

9. Date of Next Meeting

The date of the next meeting was confirmed as 19th October 2017.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 7.55 pm)