

LICENSING COMMITTEE

Minutes of the meeting held on 29 September 2015 commencing at 6.00 pm

Present: Cllr. Mrs. Morris (Chairman)

Cllr. Clark (Vice Chairman)

Cllrs. Esler, Lake, McArthur, Parkin, Pett, Raikes and Clark

Apologies for absence were received from Cllrs. Abraham, Dr. Canet, Cooke, Kelly and Scholey

11. Minutes

The Chairman advised that minutes of the 10 June 2015 included in the agenda had previously been approved and the tabled minutes of the 15 July were to be agreed.

Resolved: That the Minutes of the meeting of the Licensing Committee held on 15 July 2015 and of the Sub Committee held on 20 July 2015, be approved and signed as the Chairman as correct records.

12. Declarations of interest

No additional declarations of interest were made.

13. Actions from the previous meeting

There were no actions.

14. Feedback and approval of Statement of Licensing Principles for Gambling Act 2005

The Licensing Partnership Manager presented a report detailing a summary of the feedback received from the consultation on the Council's revised draft Statement of Licensing Policy for the Gambling Act 2005. The Committee was asked to consider the feedback that had been received and decide what to include in the final policy for Council's approval on 3 November 2015. All Licensing Authorities were required to prepare and publish a statement of the principles that they proposed to apply in exercising their functions under section 349 of the Gambling Act 2005 during the three year period which the policy applied.

Members considered the comments received from various Gambling companies and noted that each had raised similar points regarding local area profiles, which listed the locations that Licensing Authorities could take into account when assessing local area profiles. It was considered whether it was important to have this included in the policy as safeguarding of children and vulnerable people was one of the licensing objectives set out in the Gambling Act 2005, or if excluding the considerations of locations from the policy would leave decisions open to challenge. Members agreed the list should still be included in the policy as every application would be considered on its individual merits.

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Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to Council that the revised policy be adopted.

15. Revised Draft Taxi and Private Hire Licensing Policy

The Licensing Partnership Manager presented a report introducing the draft taxi licensing policy which had been prepared for consultation. Once the final policy was adopted it would remain in existence for 5 years, and would be kept under review and revised as appropriate. Views of the Taxi Liaison Group had been sought on a number of issues including the Council's strategy to improve the number of wheelchair accessible vehicles within the Hackney Carriage fleet.

The draft policy required approval for public consultation and would take place between the week beginning 5 October and 11 December 2015, for a period of 10 weeks. Consultees would include the taxi trade, the Access Group for Sevenoaks District and the policy would be available on the website. Responses would be collated and brought back to the Licensing Committee on 5 January 2016 for the final draft to be approved by Council on 16 February 2016. Members were advised that the printed report contained errors with paragraphs 16, 18 and 19, but the correct version had been published on the internet.

In response to questions, the Licensing Partnership Manager advised that to ensure the policy was met and passengers were carried safely, regular compliance checks were carried out and penalty points could be given on Hackney Carriage and Private Hire licences if the licensing conditions were breached. She advised that within the policy there was a section which detailed information regarding environmental considerations for issuing licences. The best practice guidance suggested that authorities may wish to consider setting vehicle emissions standards and a minimum of an engine size of 1400cc had been recommended. Any hybrid vehicle with an engine size under 1400cc would be considered on a case by case basis. Members discussed visiting the testing site at Dunbrik to see the vehicle checks carried out.

The Licensing Partnership Manager advised that it was not the intention to have every Hackney Carriage wheelchair accessible as it could then exclude elderly users. Currently less than 2% of the Hackney Carriage fleet were wheelchair accessible and since the introduction of the Equality Act 2010 this was a situation that could not continue. The intention was to keep a mixed fleet of vehicles. Survey Monkey would be used for the consultation to allow the consultees to choose which option of wording was preferred for the policy in relation to wheelchair accessible vehicles. A Member queried whether grants were available to Hackney Carriage drivers to adapt their vehicles to make them wheelchair accessible, she was not aware and would investigate this.

Members were encouraged to take part in the consultation.

The Licensing Partnership Manager and Licensing Team were thanked for their work on the documents and found the list of changes made to the policy useful.

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Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That the draft Taxi and Private Hire policy for public consultation be approved.

THE MEETING WAS CONCLUDED AT 6.40 PM

CHAIRMAN