

LICENSING COMMITTEE

12 August 2015 at 7.00pm

Present: - Councillor Mike Lilley (Chairman)
Councillors Roger Buston, Nick Cope, Margaret Fairley-Crowe, Ray Gamble, Dave Harris, Pauline Hazell, Mike Hogg, Darius Laws, Richard Martin and Philip Oxford

8. Urgent Item - Hackney Carriage/Private Hire Policy // Interim Change

The Head of Professional Services submitted a report asking the Committee to approve an interim change to the enforcement of the Council's hackney carriage/private hire policy in relation to signage on private hire vehicles.

The Council's existing policy stipulated the signage operators were required to put on their vehicles. Over the last 10 years some private hire operators were believed to have obtained permission from former officers of the Council to have signage that did not conform to the Council's policy however in most cases they had been unable to provide written evidence that such changes were approved. In recent months enforcement action had been taken in respect of vehicles failing to show the correct signage and penalty points had been issued for a variety of infringements and as a result some appeals had been received. In addition, the matter had been raised at a recent hackney carriage/private hire liaison meeting.

In response to concerns raised and taking into account the disproportionate amount of officer time spent considering signage queries, and the fact that it was proposed to review the policy shortly, it was proposed that interim measures be put in place to provide operators with clear, unambiguous guidance on the Council's enforcement. The interim measures would remain in force until such time as the new policy was in place which it was anticipated would be in early 2016. The interim measures would remove the absolute requirement to have a door sign of a size and design specified in the policy. It would instead allow a degree of flexibility in the way the key information of name, address, telephone number of the proprietor of the vehicle and the legend "Licensed Private Hire Vehicle Pre-booked only" was shown on the vehicle.

RESOLVED that –

- (i) All operators to submit drawings or photographs of their currently livery to the Council.
- (ii) Vehicles with no full body livery – the current door sign standards as set out in the

current policy to be the minimum standard, namely the sign must be 21 x 30 cm (8¼" x 11¾") overall with a white background and a border 0.6 cm (¼") from the edge, the border to be the same colour as the lettering. The sign must state only the name, address and telephone number of the proprietor of the vehicle and the legend "Licensed Private Hire Vehicle Pre-booked only". The size of the lettering for the address and legend must be not less than 2 cm (¾"); the name must not be greater than 5 cm (2") and the telephone number must not exceed 6.5 cm (2½"). The proprietor may however choose the colour of the lettering if they so wish. The use of the Borough Coat of Arms is prohibited on private hire vehicles.

(iii) Vehicles with full body livery – where an operator currently has full body livery (number and company details but not displayed in accordance with the policy) the minimum requirements must be satisfied. These are that the livery must state only the name, address and telephone number of the proprietor of the vehicle and the legend "Licensed Private Hire Vehicle Pre-booked only".

(iv) The Council will not accept any new livery design as permanent in this interim period and all operators will be expected to comply with the new policy when approved.

(v) This interim period will last until the new Policy has been approved and adopted.

9. Draft Licensing Policy 2016-2021

Councillor Hogg (in respect of his position as a personal licence holder and his position at the Oak Tree Centre) declared his non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure 7(5).

The Committee considered a report by the Head of Professional Services seeking the Committee's approval of the Council's draft Statement of Licensing Policy and the proposed consultation process.

Under the Licensing Act 2003 the Council was required to review and readopt its Statement of Licensing Policy every five years. The policy sets out how the Council, as Licensing Authority, would exercise its licensing functions in order to promote the four licensing objectives of the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm. The key aim of the policy was to ensure that the licensed premises in the Borough had a positive impact on their locality and where premises caused problems, they were addressed swiftly and in the most appropriate manner. Premises that extended the diversity of entertainment and attracted a wider range of participants would be encouraged rather than those focussing mainly or exclusively on the sale of alcohol. The policy was in line with the Council's vision to create a Borough that was vibrant, prosperous, thriving and welcoming.

In the light of the radical review of the policy, and in line with good practice and the relevant guidance, it was proposed to carry out a wide scale consultation involving licence holders, responsible authorities, business interests, local councils, residents and other interested parties. The consultation would provide a real opportunity for people with an interest in the development of Colchester to help shape how licensed premises would be operated and managed in Colchester over the next five years. The consultation period would run from 17 August to 31 October.

In the course of discussions a number of suggestions were made in relation to the wording to improve the policy's clarity. It was also agreed that the special town zone area should be called the Old Town Zone and that this area be extended to cover North Station Road and slightly more of Crouch Street than had originally been proposed. Counsel's advice would be sought on the issue of precedents and whether officer recommendations could be added to Committee reports in relation to Licensing Act applications. Information would be added to the policy on Temporary Event Notices.

RESOLVED that –

- (i) The draft Statement of Licensing Policy be approved for the purposes of public consultation.
- (ii) The proposed consultation process set out in paragraphs 4.2 to 4.6 of the report be approved.