

Licensing Committee

Wednesday, 23 January 2019

Attendees: Councillor Roger Buston, Councillor Nick Cope, Councillor Simon Crow, Councillor Paul Dundas, Councillor Dave Harris, Councillor Mike Hogg, Councillor Darius Laws, Councillor Patricia Moore, Councillor Julie Young

Substitutes: No substitutes were recorded at the meeting

Also Present:

75 Urgent Items

Urgent Items - Changes to the Hackney Carriage and Private Hire Licensing Policy

The Chairman agreed that the item below should be considered at the meeting as a matter of urgency, in view of the need to refer the proposed changes in the Hackney Carriage and Private Hire Licensing Policy to Full Council on 20 February 2019

The Committee was asked to consider a report by Mr Ruder, Licensing, Food & Safety Manager, regarding changes to the Hackney Carriage and Private Hire Licensing Policy.

Mrs White addressed the Committee and informed it of the changes to the policy set out in paragraphs 5.1 – 5.4. An additional key change was highlighted; it was proposed to add a specific paragraph to the Convictions Policy to deal with a wide variety of matters that could be brought together under the class of 'Exploitation'. The category would be included within the Level 1 Serious Crimes section with a 12 point penalty which lasted for an indefinite period of time.

RESOLVED that the changes to the Policy be agreed and recommended to full Council for approval on 20 February 2019.

76 Minutes 14 November 2018

RESOLVED that the minutes of the meetings held on 14 November be approved as a correct record.

77 Have Your Say!

Mr Kevin Fisher, Owner of All The 8's Private Hire Cars, addressed the Committee on a number of points relating to the licensing and livery of private hire vehicles. Mr Fisher requested clarification on the use of the words cab & taxi etc. and what could be officially

be used on a private hire vehicle, booking app and advertisements. With regard to the wrapping of vehicles, Mr Fisher stated that he had been led to believe that his company had the only dispensation on the Borough to wrap its vehicles but he had recently seen other companies with wrapped hoods and bonnets and questioned the basis on which this had been done. Mr Fisher also questioned why Private Hire Operator numbers were not limited in the same way that Hackney Carriage Vehicles are limited. The cost of licensing a private hire vehicle, at £415 per vehicle per year, was also questioned and Mr Fisher asked what he received for this money.

The Committee thanked Mr Fisher for attending. Mrs White informed the Committee that Mr Fisher would receive a written response and the Committee requested that it also receive a copy of the answers.

78 Hackney Carriage Unmet Demand Survey

Have Your Say!

Mr David Green, Secretary of the Hackney Carriage Association, thanked Mr MacDonald and the Licensing Officers for the report. Mr Green also expressed how he was happy that the survey took in consideration the road works that are currently going on.

The Committee thanked Mr Green for his comments.

Mr Charles Isbill, Chairman of the Colchester Hackney Carriage Association, also thanked Mr MacDonald and the Licensing Officers for their hard work. Mr Isbill wanted to make it known to the Committee that, from his experience and conversations had, the trade did not want the Head Street rank to be moved to North Hill, however moving the position of the current Head Street rank further up near Debenhams would be seen to be a better position.

The Committee thanked Mr Isbill for his for comments and the information with regards to the Head Street rank.

Ms Hibbins, a resident of North Hill, addressed the Committee with regard to the unmet demand survey and the mention on the comments received back of the creation of a rank on North Hill. Ms Hibbins informed the Committee that there were already issues with late night noise and anti-social behaviour and the additional of a rank would contribute further to these issues. The survey showed that the busiest time and therefore the highest demand for hackney carriages was between 1 and 3am on a Sunday morning and this would not be an appropriate time to collect passengers outside a residential area. Ms Hibbins referred to paragraph 7.1 of the report which stated that extensive consultations were made but that was incorrect as the consultation did not include local residents. Ms Hibbins told the Committee that she felt the proposal should not go ahead and that there were already enough parking issues on North Hill. The issues with the existing rank at Head Street should be addressed before any further new ranks were created. Ms Hibbins also felt that there had been inadequate

acknowledgement to those with disability access issues with the possible movement of the rank to a hill.

The Committee thanked Ms Hibbins for attending the meeting and the issues that she had raised.

Mrs White confirmed to the Committee that the LVSA report was in relation to Hackney Carriage Vehicles rather than the location of taxi ranks and the consultation that had been carried out was in relation unmet demand and not the location of ranks.

Unfortunately following a recent press article that had been published indicating the possible introduction of a rank on North Hill a number of residents had been in contact with the licensing officers to express their concern. In fact the comment had been made by a member of the trade and was just noted in the report as it was part of the survey. Mrs White confirmed that it was not something that the Licensing Team were currently considering and if any additional ranks were proposed including the creation of one on North Hill, there would be a full consultation period which would include residents.

Mrs White then introduced Mr Ian MacDonald from LVSA, who gave a presentation with regard to the Hackney Carriage Unmet Demand Survey results. Mr MacDonald informed the Committee that the last survey was back in 2015 and the Council was required to carry out a survey every 3 years. The survey looked at the waiting times for customers at a variety of locations and times in the town and at the station and then used this data to determine whether there was any unmet demand for hackney carriages. The survey results indicated that the level of unmet demand was not only well below the level which would be called significant but had also dropped in the last three years. It was noted that roadworks were on going at the time of the survey but, regardless of this, the effect hadn't been significant on the passenger wait times. Feedback from members of the public had been positive and a majority had no issues in finding a taxi when needed. Mr MacDonald advised the Committee that Colchester should keep doing what it was doing as it worked well. The Committee thanked Mr MacDonald for the very thorough report.

The Committee asked about Head Street which the survey showed was not used at all by the public or the trade. The Committee asked Officers to investigate the Head Street rank as licensed premises in this area would appear to indicate there could be a demand for a rank in this location. As part of this work officers were asked to look at moving its location further up Head Street to outside Debenhams and better signage and enforcement. The Committee also considered the apparent increase in unmet demand which meant that drivers were not as busy as they had been three years earlier and the impact on their earnings as a result. This point being particularly considered in relation to the possible introduction of CCTV at the driver/operators expense. Mr MacDonald had mentioned that many drivers supplemented their income with contract work.

RESOLVED that–

- (i) The current number of hackney carriage vehicle licences be maintained at 131.
- (ii) As opportunities are presented by redevelopment and change within the Borough, consideration be given to the creation of new taxi ranks in appropriate locations.
- (iii) A further unmet demand survey be carried out in the autumn of 2021.
- (iv) Officers be requested to investigate the Head Street Taxi rank and ways it can be improved and report back to the Committee at the conclusion of this work.

79 Licensing Training Report

Mrs Gentry addressed the Committee and invited it to approve the scheduling of a training session by Cornerstone Barristers in June 2019 and discuss and identify other training needs for the Licensing Committee if it was felt applicable.

RESOLVED – The Committee agreed to have a whole day of licensing training on 12 June 2019, with Cornerstone Barristers providing the morning session and Licensing Officers in the afternoon providing Hackney Carriage/Private Hire training.

80 Licensing Work Plan

Mrs Gentry addressed the Committee and asked the Committee to note the contents of the Work Programme for the meeting on 27 March 2019.

RESOLVED that –

- (i) the work plan be noted and the information session on Caravans and Park Homes, which had been delayed, be included on the agenda for the meeting on 27 March 2019.
- (ii) the Public Spaces Protection Order, in so far as it relates to licensing, be included on the work plan for the next municipal year and the Police Licensing Officer be invited to a future meeting of the Committee.