

# **Licensing Committee**

## **Wednesday, 29 August 2018**

**Attendees:** Councillor Roger Buston, Councillor Nick Cope, Councillor Simon Crow, Councillor Paul Dundas, Councillor Dave Harris, Councillor Darius Laws, Councillor Gerard Oxford, Councillor Julie Young

**Substitutes:** No substitutes were recorded at the meeting

**Also Present:**

### **62 Minutes of Previous Meeting**

RESOLVED that the minutes of the meeting held on 25 July 2018 be approved as a correct record.

### **63 Have Your Say!**

Mr Green, Secretary of the Hackney Carriage Association, addressed the Committee and spoke of his concerns with regard to the CCTV Policy. Mr Green asked whether it would be possible for the Council to purchase a bulk amount to reduce the cost and questioned the time limit in which they would be required to install the CCTV system. There was discussion around the issue of sound recording and what would happen if a driver forgot to switch on the equipment or if a passenger requested that it be turned off? Mr Ruder responded that a pragmatic approach would be taken depending on the circumstances of each case.

Cllr Young, Chairman, explained that the main aim was to protect drivers as well as the customers and that there would be a six week consultation period for both drivers and members of the public to give their views. The Committee would consider the outcome of the consultation at the meeting in November.

Ms Hardy, Manager of Panther Cabs, addressed the Committee acknowledging the importance of CCTV and explaining that her main concern was cost. Many of her drivers already had CCTV in their cars that had not cost anywhere near the £300-£600 that had been quoted for a system likely to meet the Council's standard. Concerns were also expressed around the filming of children and the use of CCTV when the vehicle was being used as a private vehicle. Mr Ruder responded that the Council would only ever request to see footage if there was a complaint either by a passenger or by a driver and that drivers would have no facility to be able to review or access any footage recorded by their system.

Cllr Young explained that if a good deal could be made with a provider they're could be a big chance of the equipment being cheaper but encouraged all parties to get involved in the 6 week consultation so all areas could be looked at.

Mr Fisher, Manager of All The 8's, explained to the Committee that most of his cars already had CCTV fitted at a unit cost considerably lower than the current price being quoted. If the CCTV policy was to go ahead it would cost him around £20,000 to make all his cars compliant. He also raised concerns regarding insurance cover; some policies required the installation of certain equipment and it was unclear how this equipment would work alongside the new CCTV that the Council required.

Cllr Young requested officers to carry out some further work in relation to the purchasing of CCTV during the six week consultation period so that the matter could be considered again at the end of the consultation period.

#### **64 Hackney Carriage and Private Hire Licensing Policy**

The Committee considered a report by the Assistant Director of Environment on the further changes to the Hackney Carriage and Private Hire Licensing Policy including the Policy in relation to CCTV and to approve a further period of consultation.

The Committee enquired about the Town Police Clauses Act 1847 and the Local (Miscellaneous Provisions) Act 1976 and the legal position regarding CCTV. Mr Ruder informed the Committee that the 1847 and 1976 Acts were not specific with CCTV but were generally about being 'Fit and Proper' and protecting drivers and the public alike. CCTV is not specifically in the legislation but legislation gives the licensing officers the ability to have a policy, which can then include the requirement to have CCTV in all licensed vehicles.

The Committee asked Mr Ruder several further questions with regard to CCTV and he informed the Committee that some other Councils already operated the system the Council was currently suggesting and recorded conversations in certain circumstances. Mr Ruder reiterated that the Council would only request the CCTV in response to a complaint and that data was only retained for 28 days.

RESOLVED that the amendments to the Taxi Policy, as set out in the report, be agreed and that there be a further six week consultation period with the results reported to the November meeting of the Committee.

#### **65 Pavement Permits (Street Restaurant, Café and Bar Furniture)**

The Committee considered a report by Mr Ruder, Licensing, Food and Safety Manager, with regard to an introduction of a pavement permits. It was hoped that the permit and

conditions system would encourage a café culture in relation to bars, pubs, restaurants and cafes within the town centre. The report sought the Committee's approval of the Pavement Permit Policy prior to its referral to Full Council.

The Committee questioned the cost of a permit, which was currently a single flat rate irrespective of the size of the premises, and asked that officers look again at the fee to see if it was possible to make the fee proportionate to the size of the venue. One member expressed concern at the implications of the policy for disabled access

RESOLVED that after a formal vote, 5 members in favour and 1 against, the proposed Pavement Permit Policy be agreed and will come back to a future meeting with regards to the cost of a permit.

#### **66 Scheme of Delegation to Officers by the Licensing Committee**

Mrs White addressed the Committee on amendments to the Scheme of Delegation from the Licensing Committee to enable officers to act under delegated powers whilst bringing to Committee those matters which require its determination.

RESOLVED that the Scheme of Delegation to Officers by the Licensing Committee be approved.

#### **67 Work Programme 2018-19**

Mr Ruder addressed the Committee and asked for its input with regard to the licensing work plan for the forthcoming year, after taking on the previous requests from the previous meeting.

RESOLVED that the itinerary for future meetings be agreed and the Hackney Carriage and Private Hire Licensing Policy be reported to the Committee on 14 November 2018 to allow time for the six week consultation period.