

LICENSING COMMITTEE - MONDAY, 18 FEBRUARY 2019

MINUTES OF A MEETING OF THE LICENSING COMMITTEE HELD IN COMMITTEE ROOMS 2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON MONDAY, 18 FEBRUARY 2019 AT 09:30

Present

Councillor DRW Lewis – Chairperson

SE Baldwin
A Hussain

AA Pucella
TH Beedle

JE Williams

MJ Kearns

Apologies for Absence

Councillor D Owen
Councillor J Lewis
Councillor G Thomas

Officers:

Andrea Lee	Senior Lawyer
Yvonne Wittchell	Team Manager Licensing
Michael Pitman	Business Administrative Apprentice

24. DECLARATIONS OF INTEREST

None

25. APPROVAL OF MINUTES

RESOLVED: That the minutes of the Licensing Committee meeting of the 22/05/2018 as a true and accurate record.

26. WELSH GOVERNMENT CONSULTATION ON IMPROVING PUBLIC TRANSPORT

The Licensing Policy Officer presented a report which outlined details of the Welsh Government Proposals for the licensing of taxis and asked the Committee to authorise the Head of Shared Regulatory Services to respond to the consultation regarding taxi licensing.

He advised Members that he would take them through a presentation which broke down the details of the current proposals that are listed in section 3 and 4 of the report.

He took members through the section 3 of the report which gave some background on the current situation. He explained that as a result of consultations undertaken by the Law Commission from 2011-2014, and a Welsh Government consultation in 2017, the Welsh Government are considering proposals to reform the taxi and private hire licensing regime in Wales.

He then explained what key issues the Welsh Government have attributed with the current licensing policy. He explained that inconsistent standards across each local authority meant that there were different standards for quality among vehicles as well as the cost that is charged depending on which local authority the taxi was from.

He also explained the issue of enforcement, which he noted to Members that there was currently no statutory mechanism for enforcement in place for vehicles licensed in a different authority.

He also described the issues of safeguarding, which he noted to Members that currently there is no information sharing among authorities with regards to the licensing of taxi drivers. This poses a threat to members of the public as a taxi drivers' licence could be revoked in one authority, however that doesn't stop that driver obtaining a licence from another authority.

A Member commented on the issues explaining that they are valid issues to be concerned with and agreed that they needed to be acted on in some way.

The Licensing Policy Officer went on to explain the current proposals and informed Members that while they are in the early stages, they are being put forward for Members to give their views.

Option 1 –

- To implement national standards including driver standards and vehicle standards, as well as a national database of information.
- To redirect existing licensing functions regarding Hackney Carriage and Private Hire vehicles from the 22 local authorities to 1 joint licensing authority.
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Option 2 –

- To implement national standards including driver standards and vehicle standards.
- To have a more rigorous enforcement system where a drivers licence can be revoked by any licensing authority if there is a need to, regardless of where the driver had been licensed originally.
- To have a centralised database drivers details of their licence being revoked can be accessed across all 22 local authorities in Wales.
- To retain Licensing functions within local authorities.

Members expressed their concerns with Option 1 stating that it was a drastic change from the current system.

A Member stated that while he believed Option 1 to be easier and possibly more efficient in the long term, the short and medium term may be a huge adjustment and cause disturbance for the Licensing services as well as taxi drivers. It may also be costly for the authority if there were to be uniform changes that BCBC would need to conform to.

Another Member expressed his disagreement with Option 1, stating that Option 2 was preferred. He explained that this allowed Members to make decisions on their own local authority in which they live in and know very well, something that he does not believe a joint licensing authority would be able to do at the same high level.

Another Member agreed with Option 2 for the reason of retaining licensing functions within local authorities but also emphasised the importance of a centralised licensing database.

A Member asked the Licensing Policy Officer who would have access to the database and under what circumstances would the information be made available to Members?

The Licensing Policy Officer explained that while the proposals are in the early stages of development, he was unable to say for certain how the process would occur. However, he explained that it would likely follow the same or similar process as a Disclosure and Baring Service (DBS) certificate. While this would not exclude the DBS check as a

statutory piece of information that is necessary for a grant or refusal of licence, it would provide additional information to the Licensing Officers that would not otherwise show as a criminal conviction.

Another Member asked the Licensing Policy Officer is there was a savings element involved for the local authority with Option 1? The Licensing Policy Officer explained that there are not enough details on the entire process to make a reasonable assumption whether local authorities would save money.

Another Member expressed their concerns with Option 1 stating that it would take a lot of work away from the local authority in regards to Councillors as well as Officers.

The Team Manager Licensing advised the Member that all licensing matters relating to taxi and private hire vehicles would be transferred, but other licensing matters would remain with the local authority, for example, premises and liquor licenses.

A Member said he was disappointed with the lack of detail surrounding option 1 and the logistics of proposals. He asked the Licensing Policy Officer how far would an applicant or existing driver need to travel for their vehicle to be inspected or to sit in front of a Committee?

The Licensing Policy Officer explained that unfortunately there have been no further details surrounding this but would be happy to take the concern forward.

The Licensing Policy Officer was asked which idea he thought of the proposals. He explained that there are positives and negatives for both proposals but would argue that Option A at this time does not have much details. However both options are broad in nature thus far and he is looking forward to further consultations to acquire more knowledge of the details.

The Legal Officer asked Members if there is anything they would like to see in the proposals that is not currently mentioned.

A Member said it would be beneficial for the customers who pay for a taxi or private hire if they always knew what the price would be before they began their journey. He said that there is too much variation in pricing for the same journey which could be influenced by a variety of factors like pickup location and time taken for the journey. The Member believed that this should not be the case as if you commuted via train or bus, the fair would be fixed regardless of the pickup location or time taken for the journey.

The Licensing Policy Officer asked Members if there were any further questions to which they replied no.

RESOLVED:

1. That members noted the contents of the report
2. That Members authorised the Head of Shared Regulatory Services to respond to the consultation as regards taxi licensing on behalf of the authority.

27. URGENT ITEMS

None

The meeting closed at 10:30