

Licensing Committee – 4 March 2015

Present: Councillor Miss Durdan (Chairman)
Councillors Mrs Adkins, Mrs Allgrove, Beaven, Coles, Mrs Hill, Miss James, Morrell, Mrs G Slattery and Mrs Waymouth.

Officers: Ian Carter (Licensing Manager), John Rendell (Licensing Officer), Roy Pinney (Legal Services Manager) and Tracey Meadows (Democratic Services Officer)

Others: Mike Davis from A1/Ace Taxis

(The meeting commenced at 6.15 pm)

12. Apologies/Substitution

Apologies : Councillors A Govier, Mrs Lees, R Lees and Nottrodt.

Substitution : Councillor Mrs Adkins for Councillor Nottrodt.

13. Minutes

The minutes of the meeting of the Licensing Committee held on 27 May 2014 were taken as read and were signed.

14. Public Question Time

Mr Mike Davis of A1/Ace Taxis stated that dealing with the Council was very difficult with seemingly no one being accountable. The trade had been asking for:-

1) Reinstatement of the Knowledge Test since 2011;

2) An English Test since 2011;

3) Licensing to randomly test half the meters annually which, when 100% testing was removed, was a commitment in 2012. Not one meter had been tested since then, even in new vehicles!

4) Correct application of the law regarding fees which had been an issue since 2010. The Council could only set fees at the level the activity cost, not at a level of cost that covered over staffing to do a task.

5) The Council to take action to prevent people “pulling the wool over the eyes of the Council” with regard to claimed ill health, so allowing them to get saloon plates. Our issue was not with genuine need, but how easy it was to mislead the Council. There was no subsequent control mechanism to ensure other drivers who had no medical condition did not drive those vehicles, which had happened.

6) Action regarding the issue of many licences to Bristol residents which had come to light following a Freedom of Information request. They then approached the trade to hire a vehicle. If they successfully obtained a Vehicle Licence they could effectively operate anywhere in the country as a Private Hire business. A letter had been sent to all Councillors about the inherent child protection issues raised in Rotherham about the use of "under the radar" cab firms. What would the implications be for the Council if it transpired that out of area drivers easily obtained Taunton Deane Driver and Vehicle Licences and were procuring children for sexual abuse?

7) The Council to take an interest in the large number of firms evading VAT which should be part of a simple 'fit and proper' test when a business or individual or family had more than three vehicles. This had been raised regularly since 2009.

8) More meaningful meetings of the Taxi Forum. They currently were shambolic and did not address questions that were asked. Councillor Kelly Durdan had not done what she had committed to do in addressing these issues.

When were all these issues going to be dealt with by the Council? All could be resolved quickly if someone was prepared to have a sensible conversation.

Mr Davis also submitted a written statement by Matt Woodford regarding some misleading statements in the Licensing Officer's report regarding driver testing following three tragic deaths in the last three years involving taxis.

The report appeared to suggest that the accidents were the taxi drivers fault. Mr Woodford asked that the report be amended to reflect the truth of these situations for the reasons set out in his submission.

The Chairman thanked Mr Davis for his comments and questions and for bringing Mr Woodford's statement to the attention of Members. She asked that written responses be provided to all the points made.

15. Declarations of Interest

Councillor Coles declared a personal interest as Member of Somerset County Council. Councillor Mrs Hill declared a personal interest as an employee of Somerset County Council. Councillor Mrs Allgrove declared a personal interest as the Vice-Chairman of the Somerset Association of Local Councils.

16. Licensing Update Report

Considered report previously circulated, which provided an update on the activities of the Council's Licensing Team, changes to legislation, current consultations and other general licensing matters

A Summary of activity relating to the Licensing Act 2003 was as follows:-

- Application numbers for Taxis had been higher than last year.

- Licenses Issued; 414 Premises Licences, 1251 Personal Licences and 2754 Temporary Event Notices (TEN's) in force on 5 February 2015.
- There has been no Licensing Sub-Committee Hearings held between April and December, despite there being six separate Licensing Act 2003 applications which drew representations during this time. On each occasion, mediation took place and the applicants were able to reach an agreed position enabling the licence to be granted.
- There had been several meetings of the Taxi Forum since the last Committee. Matters discussed had led to the presentation of the following two reports on the agenda for the meeting.
- On 6 April 2015 the Legislative Reform (Entertainment Licensing) Order 2014 would come into effect. It would introduce further exemptions to the requirement to obtain an authorisation for the provision of entertainment under the Licensing Act 2003, details of which were submitted.

Also reported that one of the team's officers joined forces with the Police, VOSA and the Department for Work and Pensions on New Year's Eve to undertake taxi and private hire vehicle checks, dubbed 'Operation Tri Star'. Over the course of the morning, 31 licensed vehicles were checked at Taunton Police Station to make sure they were safe to work. Only minor breaches of licence conditions were discovered, with the majority of those breaches being rectified at the location.

During the discussion of this item, concerns were raised that complaints were not shown on the agenda. Members needed to know that issues had been resolved.

Resolved that the report to be noted.

17. Licensing Regime for Hackney Carriage/Private Hire Drivers and Private Hire Operators

Resolved that this report be not considered until such time as full consultations had been carried out in relation to the proposed changes to the Licensing Regime.

(The meeting ended at 6.55 pm)