

Licensing Committee

**Minutes of meeting held in the Ditchling Room, Southover House,
Southover Road, Lewes, BN7 1AB on 14 February 2019 at 10.00am**

Present:

Councillor Sam Adeniji (Chair)

Councillors Liz Boorman, Will Elliott, Stephen Gauntlett, Jackie Harrison-Hicks and
Isabelle Linington

Officers in attendance:

Stewart Bryant (Senior Specialist Advisor, Licensing and Pollution)

Ed Hele (Functional Lead, Quality Environment)

Jennifer Norman (Committee Officer)

Michele Wilkinson (Lawyer, Housing & Regulatory)

15 Minutes

The minutes of the meeting held on 11 December 2018 were submitted and approved, and the Chair was authorised to sign them as a correct record.

16 Apologies for absence/declaration of substitute members

An apology for absence had been received from Councillor Tony Rowell.

17 Declarations of interest

There were none.

18 Urgent items

There were none.

19 Written questions from councillors

There were none.

20 Street trading review in Lewes District

The Committee considered the report which requested that Members review the street trading consent scheme and authorise the Senior Specialist Advisor (Licensing) to begin a six week consultation of the proposed new guidance.

The Functional Lead for Quality Environment (FLQE) reminded the Committee that it had previously agreed the street trading consent policy as detailed in Appendix 1, together with an application process and conditions for Lewes District Council (LDC) in March 2015. He highlighted the reasons for reviewing the current street trading consent policy and the proposed changes as set out in sections 1 and 2 of the report.

Discussion included:

- Whether or not sections H and I of Appendix 3 applied to pavement permits. The FLQE confirmed that sections H and I did apply to pavement permits;
- What the course of action was if a business may trade outside of the LDC's applied normal hours of operation between 9am to 6pm. The FLQE clarified that a business could apply to operate outside those hours and that the Council reviewed each application on a case-by-case basis;
- How the new proposed street trading guidance would affect seafront street trading in Seaford. Officers clarified that traders would have to comply with dimensions requirement and Seaford Town Council (STC) operated under LDC's street trading guidance. The FLQE explained that he would send the proposed consultation to STC for its input; and
- How the street trading guidance was and would be enforced outside of the normal hours of operation. The FLQE responded that he regularly completed audits and that the Neighbourhood First team was regularly on hand to enforce the guidance.

Resolved:

1. That the contents of the draft guidance be agreed as set out in Appendix 3;
2. That the Senior Specialist Advisor (Licensing) be authorised to begin a 6 week consultation on the revised street trading guidance; and
3. That a further report detailing the results of the 6 week consultation on the revised street trading guidance be brought to a future meeting of the Committee.

21 Approval of licensing fees 2019/20

The Committee considered the report which sought its approval of the scale of licensing fees as set out in Appendix 1.

Resolved:

That the Committee recommend to Council the approval of the scale of Licensing fees as set out in Appendix 1.

22 Taxi licensing guidance review

The Committee considered the report which sought approval of the reviewed taxi licensing guidance as set out in Appendix A.

The Senior Specialist Advisor (Licensing and Pollution) explained that the existing Lewes District Council Hackney Carriage and Private Hire Licensing Guidance had been suitable and appropriate for a number of years. The Senior Specialist Advisor (Licensing and Pollution) advised and the Committee agreed that due to the change in the current landscape as detailed in the report, it was appropriate that the current guidance was reviewed in light of these issues and brought up to date to ensure the safety and welfare of the public was protected.

Resolved:

That the new taxi licensing guidance be approved subject to the revisions set out below in section 5 of the report:

- 5.1 - Condition change – All executive vehicles undertaking any Private hire work falling outside of the above exemption requirement shall be required to display an external plate and door signs without exception;
- 5.2 - Equalities, disability awareness, CSE and safeguarding to be introduced as a section on the knowledge test for new applicants with mandatory awareness sessions for existing drivers;
- 5.3 - Council should adopt emissions limits rather than cubic capacity of the vehicle such as Euro 4 Petrol and Euro 6 Diesel, as opposed to a minimum CC;
- 5.4 - Vehicles to be permitted up to 5 years old from first registration upon first application;
- 5.5 - Guidance must stipulate Level 2 medical for drivers;
- 5.6 - A vehicle specification list be adopted into the guidance;
- 5.7 - The introduction of a single livery colour of white for Hackney carriages with all Personal Hire Vehicles to be non-white in colour (on renewal/replacement of vehicle);
- 5.8 - Introduction of door signage in the colours green and blue, which are the corporate colours for Lewes District Council;

- 5.9 – Following a procurement process, the use of 2 contracted garages to undertake vehicle inspections;
- 5.10 – The Committee recommended CCTV and to await the outcome of future central government policy;
- 5.11 - Following discussion within the Licensing team during the consultation period, it became apparent that there was a need to reduce the administrative burden placed upon the case work team to administer the Taxi licensing regime. As a result of these communities of practice meetings the following two proposals for adoption were made, which officers would like introduced within the new Guidance as had not previously formed part of the consultation;
- 5.12 - Introduction of mandatory dual licenses to align to EBC, (delay for 12 months) as introduction would cause additional pressure; and
- 5.13 - That the Council to issue 3 year driving licences as standard with the provision of 1 year licences in exceptional circumstances to be implemented on 1 April 2020.

23 Date of next meeting

Resolved:

That the next meeting of the Licensing Committee would be called as necessary.

The meeting ended at 11.30am.

Councillor Sam Adeniji (Chair)