



Minutes of the Licensing Committee

4 June 2015

-: Present :-

Councillors Barnby, Cunningham, Doggett (Vice-Chair), Ellery, King, Morris, Parrott, Stocks, Stubbley, Sykes and Tolchard

1. Election of Chairman/woman

Councillor Manning was elected Chairman for the 2015/2016 Municipal Year.

2. Apologies

An apology for absence was received from Councillor Lang.

3. Appointment of Vice-Chairman/woman

Councillor Doggett was elected Vice-Chairman for the 2015/2016 Municipal Year.

4. Minutes

The Minutes of the meeting of the Licensing Committee held on 22 January 2015 were confirmed as a correct record and signed by the Chairman.

5. Wheelchair Accessible Vehicles

Members were advised that on the 22 January 2015 the Licensing Committee set an aspiration level of 20% for all of the Hackney Carriage and Private Hire Fleet to be wheelchair accessible by 2018 and requested that a report be brought to the next Licensing Committee to consider a range of options.

Members were also advised that an Unmet Demand Survey had been undertaken by a private contractor, which involved talking to drivers, owners and users and what barriers had been identified and incentives to be implemented to encourage Wheelchair Accessible Vehicles.

Members were asked to consider three possible options to achieve the a new aspiration to make 20% of the Hackney Carriage and Private Hire Fleet wheelchair accessible by 2018 and to undertake a public consultation on the potential changes to the Torbay Council Hackney Carriage and Private Hire Vehicle licensing Policy.

Licensing Committee

Thursday, 4 June 2015

Resolved:

- i) that a public consultation exercise be undertaken for a period of six weeks and that a further report is written for a future Licensing Committee to consider the representations made and any final Policy changes to be agreed; and
- ii) Torbay Council will set the vehicle application or vehicle renewal fee for Wheelchair Accessible Vehicles at half the financial amount set for non Wheelchair Accessible Vehicles;
- iii) Torbay Council requires all new and replacement Hackney Carriage and Private Hire Vehicles from 1st November 2015 to be Wheelchair Accessible Vehicles; and
- iv) Torbay Council requires from 1st November 2015 that all new Hackney Carriage and Private Hire Vehicles with 5 passenger seats or more, to be Wheelchair Accessible Vehicles and those vehicles will have a higher rate of tariff set for those journeys where 5 or more passengers are carried.

6. Decisions Taken in Relation to Licensing Act 2003 Applications Under Delegated Powers

The Committee noted the report which set out the details of the decisions taken by the Executive Head, Community Safety, in relation to the Licensing Act 2003 applications, using delegated powers.

7. Decisions Taken in Relation to Gambling Act 2005 Applications Under Delegated Powers

The Committee noted the report which set out the details of the decisions taken in relation to the Gambling Act 2005, taken by the Executive Head, Community Safety, in relation to the Gambling Act 2005 applications, using their delegated powers.

8. Establishment of Licensing Sub-Committee

The Committee considered a report in relation to the establishment of a Licensing Sub-Committee which would be able to deal with all matters in connection with licensing application. It was noted that the Licensing Act 2003 provided for the establishment of one or more sub-committees (Section 9 (1)), consisting of 3 members of the Committee.

Licensing Committee

Thursday, 4 June 2015

Resolved:

- (i) that a sub-committee of the Licensing Committee be established to comprise of three Members of the Licensing Committee;
- (ii) that the terms of reference of the sub-committee be to consider and determine all matters in connection with licensing applications (including those set out in the Statement of Licensing Policy and Gambling Act Policy/Statement of Principles) and the Hackney Carriage (Taxi) and Private Hire Policy;
- (iii) that the Licensing Sub-Committee be exempt from the rules of Committee proportionality, as defined in the Local Government and Housing Act 1989 and supporting regulations; and
- (iv) that the Governance Support Manager (in consultation with the Chairman), be authorised to empanel Members of the Licensing Committee to serve on the Licensing Sub-Committee as and when required.