

## HAVANT BOROUGH COUNCIL

At a meeting of the Licensing Committee held on 12 June 2023

Present

Councillor Payter (Chairman)

Councillors Keast, Blades, Brent, Gray, Milne, Patel, Sceal, Mrs Shimbart and Weeks

### **1 Apologies**

Apologies for absence were received from Councillor Patrick and Councillor Wade.

### **2 Declarations of Interests**

There were no declarations of interest from the members present relating to matters on the agenda.

### **3 Minutes of the previous meeting**

RESOLVED that

- a) the minutes of the meetings of the Licensing Committee held on 11 January 2022 be approved as a correct record.
- b) the minutes of the Licensing Sub Committee held on 5 July 2022 be approved as a correct record.

### **4 Hackney Carriage and Private Hire Licensing Policy Review**

The Licensing Team Leader introduced her report.

In response to questions from Members of the Committee, the Officers advised that:

- The Department for Transport's publication doesn't explicitly state that CCTV should be installed. It recommends that the licensing authority conducts a review to determine whether CCTV is necessary and proportionate. The Licensing Team is unable to allocate the necessary resources to this project at this time, and rather than delay the rest of the policy we have opted to conduct a review into CCTV in the next 12-24 months.
- The Licensing Team is funded by application fees, which must recover costs only. A full fee review is intended for 2024/25, to take account of exactly how much it costs for us to perform our tasks. It is anticipated that we are not charging enough for certain services so a fee review will

enable us to set appropriate fees that will better fund our service.

- The company that we are looking to use currently facilitate DBS checks for 64 licensing authorities across the country and are the industry leader in providing an automatic DBS Update Service checking system for licensing authorities.
- A Certificate of Good Character is issued by the relevant country's police force.
- The Council will consider revocations on a case-by-case basis. Any behaviour, including criminal convictions, that amounts to the licence holder no longer being 'fit and proper' and being a potential risk to public safety, will be considered. The 'Consideration of Criminal Convictions' section of the Policy provides more clarity on this.
- A licence holder may appeal to Magistrates Court within 21 days of any revocation, suspension or refusal (with the exception of the decision to refuse a hackney carriage vehicle licence, which must be appealed to Crown Court). A further appeal is then available to Crown Court should any party disagree with the decision of the Magistrates.
- Hackney carriages and private hire vehicles may only be licensed for up to eight passengers (nine including the driver). Anything that seats more than eight passengers cannot be licensed for this purpose, and would be classified as a Public Service Vehicle (PSV).
- The licensing authority polices the conduct of drivers. This section of the policy is intended to provide drivers with absolute clarity and transparency on the standard of behaviour expected, and means that if the licensing authority receives complaints alleging that a driver has behaved in an inappropriate way, we have the policy that clearly shows us what is appropriate / inappropriate

Proposed by Councillor Weeks and Seconded by Councillor Seal it was **RESOLVED** that Members:

- 1) **APPROVE** the draft policy and licence conditions for public consultation.
- 2) Where no adverse comments are received during the consultation, **RECOMMEND** the policy for adoption by Full Council.
- 3) **Or** ; Where adverse comments **are** received during the consultation, to consider these comments and make any necessary amendments before recommending this policy for adoption by Full Council

*Licensing Committee (12.6.23)*

The committee considered whether this item should be deferred; following a vote, it was agreed to continue with the agenda as published.

The Licensing Team Leader introduced the report for the Hackney Carriage unmet demand survey. Following questions; Members took part in a debate regarding their views on the results of the survey; some concerns were raised regarding the validity of speaking with the profession only specifically in terms of unspent capacity. Following this debate it was Proposed by Councillor Patel and Seconded by Councillor Milne that the Licensing Committee;

**RESOLVED** that the current limit of 40 hackney carriage vehicle licences is retained, exploring other options to resolve unmet demand, with a further review in 12 - 24 months.

**The meeting commenced at 5.00 pm and concluded at 5.48 pm**