

**Minutes of a Meeting of the
WBC Licensing and Control Committee 'A' of
Worthing Borough Council**

Remote Meeting

Monday 25 January 2021

Councillor Sean McDonald (Chairman)

Councillor Charles James	Councillor Richard Mulholland
Councillor Mike Barrett	Councillor Dawn Smith
Councillor Roy Barraclough	Councillor Jane Sim
Councillor Keith Bickers	Councillor Nicola Waight
Councillor Ferdousi Henna Chowdhury	Councillor Paul Westover
Councillor Richard Mulholland	Councillor Steve Wills
Councillor Richard Nowak	

***Absent**

LCCA/7/20-21 Declarations of Interest / Substitute Members

Cllr Dawn Smith declared an interest as a parent of a child attending a school mentioned in item 6

Cllr Hazel Thorpe declared a substitution for Cllr Robert Smytherman

LCCA/8/20-21 Confirmation of Minutes

Resolved: that the minutes of the Licensing and Control Committee A meeting of held on the 19 October 2020 be approved as the correct record

LCCA/9/20-21 Public Question Time

A Member of the Public asked the following question:

The taxi trade asked in 2019 where were the complaints regarding the lack of wheelchair vehicles on the taxi ranks and the licensing committee based their decision for more wheelchair vehicles on the taxi ranks at the meeting held on the 13th of February 2019, I was told they are published on the Worthing council website, the only complaints I can see that are displayed or published are those relating to the private hire trade when (booking or calling), there are no phones or offices at the taxi rank as they are for immediate hire only and rely solely on passing foot trade, so where are these complaints relating to the taxi trade on the taxi ranks.

The Licensing Officer answered the question as follows:

The '**Taxi and private hire vehicle statistics - England: 2020**' published by the Department for Transport in December 2020 strongly reflect the figures of 2019. The

latest statistics show that nationally 57% of licensed hackney carriages were wheelchair accessible and in London all were wheelchair accessible. In Worthing only 19% of Hackney Carriages are wheelchair accessible.

This Committee reviewed the Worthing Handbook in February 2019. A completely redrafted handbook had been approved in September 2016 and would normally be fully reviewed every 5 years. However, in March 2017 this committee requested an interim review be carried out after 2 years because the new handbook departed substantially from the previous.

Among other issues the Committee considered at the interim review were representations from groups asking that more Wheelchair Accessible Vehicles were provided and that rear loading wheelchair accessible vehicles be allowed as Hackney Carriage Vehicles to encourage the trade to provide such vehicles. As members are aware these are cheaper to purchase.

In light of these representations received during the review consultation and the plans that WSCC had in place to redevelop the area around the Chapel Road and Station ranks, including making changes to the ranks themselves, the committee agreed to amend the conditions regarding wheelchair accessible vehicles contained in the handbook to allow rear loading wheelchair accessible vehicles to be licenced as Hackney Carriages.

I am unaware of any request from the taxi trade from 2019 asking for copies of complaints regarding the lack of wheelchair vehicles on the taxi ranks. Certainly, the trade would not be advised that they would be published. Complaints made to the Council, including those regarding Taxis, are not published. Rather, all the representations received regarding wheelchair accessible vehicles were published in full in the Committee report reviewing the Council's handbook and are published in full on the Council's website and I can provide Mr Carrington with the relevant link. These include the representation from UNITE, on behalf of the trade, supporting the licensing of rear loading vehicles as Hackney Carriages.

A Member of the public asked the following question:

Licensing officer Simon Jones stated at the last operational trade meeting held in October 2020 that the taxi rank at the Worthing station will be moved back to the front of the station from its current location, leading in from Cross Street, which is much safer for the public, the taxi trade would like to know when this will take place.

The Licensing Officer answered the question as follows

Worthing Borough Council are working alongside WSCC and their designers on a new public realm for Portland Road & Worthing Railway Approach. These are the first phases of up to eight public realm schemes. Despite the COVID-19 pandemic these projects continue to be prioritised and works on Portland Road (phase 1) are scheduled to start in March or April this year.

Plans & drawings are currently being worked on for the development of Railway Approach (known as phase 2) in terms of gateway design options, closely linked to the development sites at Teville Gate. The Licensing Team, when we first became aware of

possible developments, informed the Taxi Trade in late 2019 that the whole site around the station was likely to be redeveloped and would probably incorporate changes to the rank and its positioning.

The current taxi rank at the station is situated east of the station in Railway Approach. Following discussion with the Hackney Carriage trade, Officers have passed on the trade's view, to the design team, that they would like to relocate the rank to the west and front of the station, with the head of the rank situated in the existing drop off bay.

At various meetings with the trade I have confirmed that changes to the area and the positioning of the rank are proposed but that the Design Team will be carrying out full consultation in due course once draft plans are finalised. At no point have I stated that the taxi rank at the Worthing station will be moved to the front of the station and down Cross Street. I obviously couldn't give that assurance. I have simply confirmed our understanding of the changes the trade would like and passed on the trades preference.

In our last communications with the Design Team, on 11 November 2020, the Taxi Team again reiterated the hackney trades preference regarding the positioning of the rank. I have now been informed that the draft plans are being drawn up and are due to be published in February or March and will then be subject to a 3 month consultation. The taxi trade together with all stakeholders and the public will be able to make representation.

Following the consultation, the final planning stage will take up to 6 months to complete. Despite Covid I am informed that construction is still scheduled to start late this year or in early 2022. I can assure Mr Carrington that the trade will be updated as information becomes available and consulted on any proposed changes regarding the rank.

**LCCA/10/20-21 Local Government (Miscellaneous Provisions) Act 1976 -
Proposed Increase in the Worthing Hackney Carriage Tariff**

Before the Committee was a report by the Director for Communities, copies of which had been circulated to all members. A copy of which is attached to the signed copy of these minutes as item 4. Members were requested to consider an application received from the Chair of the Worthing Hackney Carriage trade for an increase in the Hackney Carriage Tariff.

The Licensing Officer introduced the report to the Committee and answered questions to clarify what changes of tariff would mean. Members were told that short journeys would cost approximately 50p more than the current tariff and that had been verified that a significant Members of the trade had supported the proposed increase.

The Chair of the Hackney Carriage Trade introduced the application to members and answered questions about the working of the tariff.

The Members debated the tariff and on a vote agreed that the proposed tariff should be put to public consultation. The Licensing Officer explained that the matter would be brought back to members should there be any unmediated public representations on the proposed increase.

Resolved: That the request for a change tariff be approved subject to public consultation

LCCA/11/20-21 Exclusion of the Press and Public

Resolved: that under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting from the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the paragraph of Part 1 of Schedule 12A to the Act indicated against the item.

**LCCA/12/20-21 Local Government (Miscellaneous Provisions) Act 1976 -
Determination of a review of a Private Hire Driver's Licence**

Before the committee was a report by the Director for Communities, copies of which had been circulated to all members, a copy of which is attached to the signed copy of these minutes as item 5. Members were asked to review a Private Hire Drivers' Licence the details of which meant that it was appropriate for the Committee to consider the application

The Committee carried out the procedure before it.

The meeting adjourned at 7.15pm for the members to consider their decision and reconvened at 8.36pm

The meeting was told that in reaching its decision, the Licensing Committee gave due regard to relevant legislation and guidance within the Councils Hackney Carriage and Private Hire Licensing Handbook. The Committee also gave regard to human rights legislation and the rules of natural justice. Due consideration was given to representations that were made at the hearing and in writing.

Resolved: that the licence be suspended for a period of 12 weeks and it be required that the respondent successfully complete an advanced driving assessment with Sussex Safer Roads as soon as a course is available

Reasons for decision: The Committee are concerned about the number of incidents before them that they have been asked to consider and the fact that the respondent has only held their private hire licence since 11th March 2019. The respondent appeared to show no remorse or accept the seriousness of their actions. A suspension for a period of 12 weeks is proportionate in all the circumstances and will allow them to reflect on their actions and ensure that when they re-commence driving it is to a high standard. The Sussex Safer Roads course it is hoped will be available after 12 weeks and this too will ensure the standard of driving is that required of a private hire taxi driver.

The meeting was declared closed by the Chairman at 8.40pm, it having commenced at 6.30pm.

Chairman