

Minutes of a meeting of the  
Adur Licensing Committee  
17 January 2022  
at 7.00 pm

Councillor Andy McGregor (Vice-Chairman)

Councillor Catherine Arnold  
Councillor Mandy Buxton  
Councillor Joss Loader

Councillor Steve Neocleous  
Councillor Carol O'Neal

**Absent**

Councillor Paul Mansfield, Councillor Vee Barton, Councillor Jim Funnell and Councillor Rob Wilkinson

**ADC - LC/1/21-22 Declaration of Interests / Substitute Members**

There were no declarations of interest or substitute members

**ADC - LC/2/21-22 Public Question Time**

Public questions had been received in advance of the meeting.

The Chairman read out the questions in the absence of the questioner:

*What incentives can be given to encourage applications for electric vehicles in order to meet the 2030 government plan?* The Licensing Officer responded that there were various initiatives on the Government website

*Are there any thoughts or plans from the local authority on providing grants or any other assistance?* Members were told that there were currently no plans from the Local Authority in this regard

*I'd like to know whether there has been a decline in numbers of licensed vehicles for Adur in either actual figures or percentage over the last 5 years as this will have an impact on why numbers of wheelchair accessible vehicles are declining?* Members were told that there had been a small decline over the previous 5 years with 1 private hire and six hackney carriages.

**ADC - LC/3/21-22 Minutes**

**Resolved:** that the minutes of the meeting held on the 13 September 2021 be approved as the correct record

**ADC - LC/4/21-22 Items Raised Under Urgency Provisions**

There were no urgent items

## **ADC - LC/5/21-22    Review of Taxi & Private Hire Handbook**

Before the Committee was a report by the Interim Director for Communities, a copy of which had been circulated to all members, a copy of which is attached to the signed copy of these minutes as item 5. The report before members invited the Committee to review the Hackney Carriage and Private Hire Drivers' licensing handbook by reviewing the document and considering representations made on the matter.

The Licensing officer went through the report addressing representations in turn and asking members to make determinations in relation to representations received.

Members discussed a condition concerning the restriction of vehicles with a certain level of tint in rear windows. Evidence was put forward concerning both the levels of standard tint from main vehicle manufacturers and submissions from Sussex Police stating that passengers in the rear seats should be visible when looked upon from outside. Representations from the trade stated that the condition reduced the amount of vehicles available for purchase for use and that the cost of replacing windows was prohibitively expensive. During debate members learned that Brighton and Hove and Arun did not have conditions relating to the tint of rear windows and that five vehicles in the previous 3 years had been rejected on the grounds of windows with too heavy a tint. On reflection Members decided that the condition should be removed from the handbook. Members expressed that there was some uncertainty over the levels of factory tint, an absence of statistics to support that the tint of windows prevented crime and representations from the trade concerning the availability of vehicles.

Members discussed a proposed alteration to the intended use policy which sought to codify in the handbook legislation concerning the areas in which hackney carriages operated. Member questioned the officer and approved the proposed changes unanimously in order that Hackney carriages worked predominately in the area in which they were licenced. The report before members stated that any proposed changes would need first be consulted with the trade.

### *Hackney Carriage Intended Use Policy*

- *A hackney carriage vehicle licensed by one local authority may be used to fulfil pre-booked hirings in another licensing authority as well as on behalf of private hire operators licensed by another local authority.*
- *In order that the Council may retain local control and enforcement over the hackney carriages it licences and assist other licensing authorities with local control and enforcement, the proprietor of the vehicle will be asked as part of the application process as to which area the vehicle is intended to entirely or predominantly operate from for the purposes of fulfilling pre-booked hirings. It will be incumbent upon the proprietor of the vehicle to demonstrate to the Council's satisfaction that it is intended for the vehicle to undertake hirings predominantly within the licensing authority area.*
- *If the applicant indicates that the vehicle will not predominantly work within the licensing authority area the application will normally be refused or if found to be acting in such a way the vehicle licence may be revoked*

The committee discussed representations made at appendix c in relation to signage. Members were told that the positioning and colour was a public safety matter and would benefit all passengers including those with visual impairment. Members noted concerns from the trade that there was overregulation and investigated costs and payment options. Officer provided advice that the taxi industry was a high risk industry and recommendations from the government were put in place to protect public safety. There were no funds available within the Licensing budget to assist drivers financially with changes to door signage which would cost £25.50. Members agreed with the view that the door signage was an important safety feature and agreed that the change be implemented with a time limit of a maximum of six months.

Members discussed representations made at appendix d to the report concerning both the operation of CCTV in vehicles, mandatory disability training and the availability of wheelchair accessible vehicles. Members were told that mandatory disability training was undertaken by drivers every three years and that this was in line with statutory guidelines. The Committee was told that in relation to CCTV police and the local authority had on more than one occasion been unable to obtain CCTV information due to footage being partially lost, corrupted and or equipment tampered with, fuses removed or cables disconnected. It was proffered that the installation of a screen that installed in vehicles would enable drivers and passenger to know instantly that the CCTV was recording and functioning. Members were told that those vehicles without a screen could have one retrofit for £100 or if the vehicle was rented there would be no cost to the driver. Members debated the CCTV issue and there was support for the compulsory installation of a CCTV screen. They were told that 32% of data requested by police and the local authority had been corrupted due to a variety of reasons. Given public safety concerns in relation to the operation of installed CCTV members agreed to add a condition that the CCTV Screens be made compulsory.

Members discussed representations at appendix E which concerned medical exemptions, sample purchasing, Disability equality training, Disclosure and Barring Checks, and CCTV. Members noted that there were no recommended changes from the representation and matters had been adequately covered from within the report.

Members discussed representation F and upon discussion agreed that suggestions within the representation were either not relevant or already present within the handbook and agreed that no changes were needed

Members discussed representation G in relation to the amount of wheelchair accessible vehicles available. Members were told that policies had been amended to address the decline in wheelchair accessible Hackney Carriages. All saloon type hackney carriages would need to be wheelchair accessible if ownership was transferred at the next licence renewal. It was proffered that the only way to increase wheelchair accessible vehicles in private hire was to add a condition that operators need to have a percentage of their fleet as wheelchair accessible. Members discussed the matter and agreed that there was a need to increase the amount of wheelchair accessible vehicles and that officers should carry out a consultation with operators to assess the options before reporting back to the Committee.

The Committee agreed changes highlighted in blue at paragraphs 4.33 to 4.37 of the report.

**Resolved:**

- i) That the handbook be approved as amended,
- ii) That additional consultation be carried out where necessary and indicated above

### **ADC - LC/6/21-22 Gambling Act 2005 Review of Statement of Licensing Policy**

Before the Committee was a report by the Interim 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 6. Members were invited to review the draft statement of licensing Policy and invite Council to adopt the updated policy.

The Licensing officer introduced the report to the committee, summarising proposed changes and representations received. Members were also given an overview of the changing situation regarding gambling with an increase of online gambling and a decrease in traditional betting shops, particularly with regards to legislation concerning fixed odds betting terminals.

The Committee discussed the report and agreed to recommend the policy to full council for adoption

**Resolved:** that the committee recommend the draft statement of licensing policy for adoption by Full Council.

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The meeting ended at 9.00 pm