

Minutes of a meeting of the
Adur Licensing Committee
20 January 2020
at 7.00 pm

Councillor Paul Mansfield (Vice-Chairman)

Councillor David Balfe
Councillor Kevin Boram
Councillor Ann Bridges
Councillor Dave Collins

Councillor Brian Coomber
Councillor Lavinia O'Connor
Councillor Debs Stainforth
Councillor Andy McGregor

Absent

Councillor Pat Beresford and Councillor Peter Metcalfe

ADC - LC/6/19-20 Declaration of Interests / Substitute Members

Councillor Andy McGregor substituted for Councillor Pat Beresford

ADC - LC/7/19-20 Public Question Time

A Member of the Public asked if the Council prioritised the safety of the public or the safety of drivers. The committee was told that the decisions made by the Committee were important for the safety of the public and the driver. It was asked the reasoning for removing or restricting an important safety feature by manufacturers i.e tinted windows. The Member of the public was told that he would be given a response within three working days.

A Member of the Public asked what evidence there was locally or nationally that showed that the existence of tinted windows in the rear of a licenced vehicle lowers or has lowered public safety. The meeting was told that a response would be submitted within three working days

A Member of the public disputed the content of the report that suggested dark tinted glass was only fitted on Executive or High end models. It was purported that copy emails from Ford had been sent confirming that the member of the public's vehicle had come from the factory fitted with rear privacy glass. It was asked why emails from the member of the public had not been included within the report. The Committee was told that a response within three days would be provided on receipt of the emails.

A Member of the public asked for it to be clarified that executive vehicles would be exempted from the requirement for tinted windows and was told that in some circumstances this would be the case quotes from a set of previous minutes stated that this was the case. Officers would determine each on a case by case basis but previous minutes would be checked and the questioner responded to within three days.

A Member of the public asked if it had been noticed that there was an increase in the number of Chichester and Lewes plated vehicles. It was contended that Adur was a difficult place to get a licence and was overly regulated, those vehicles could have been licenced in Adur. Was it recognised that continuing on the same path would lose local trade? The meeting was told that since the deregulation act 2015 what was being described was happening all over the Country.

A Member of the public asked why new drivers were not encouraged to licence in Adur and why was registering being made so difficult? The meeting was told that a response would be given within three working days

A Member of the public asked if the matter should be deferred until answers to Public questions were supplied. The meeting was told that if members of the Public wanted to have questions answered at the meeting then they could do so by putting their questions in writing two working days in advance of the meeting. The issue before the Committee was in response to a request by the Committee for further information.

A Member of the public stated that if the window tints went ahead Executive Vehicles and Limousines would need to be brought in from outside the area. Should there be an Executive Handbook? The meeting was told that there were exemptions for Executive vehicles that could be considered on a case by case basis. The meeting was told that there was a section on Executive vehicles within the handbook.

A Member of the public stated that the majority of drivers in the country were not subject to a prohibition on the use of tinted glass. Other local authorities had overturned their policies on tinted windows. The Meeting was told that Officers had contacted a number of local authorities in Sussex that had similar conditions. The national picture was split as indicated in the report.

A Member of the public stated that the Dept of Transport stated that when licensing vehicles Authorities should be mindful of the large cost and inconvenience associated with changing glass. Adur Council was already requiring users to change glass exactly the opposite of the Dept of Transport guidance. It was asked why this was the case? The Committee was told that the policy had never been retrospectively enforced and was only enforced upon cars being licenced for the first time. The handbook was clear and someone buying a vehicle with tinted windows had simply not looked at the guidance. No person currently with a currently licenced vehicle would be asked to change the glazing.

ADC - LC/8/19-20 Minutes

Resolved: that the minutes of the Licensing Committee on the 16 September 2019 be approved as the correct record

ADC - LC/9/19-20 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions.

ADC - LC/10/19-20 Tinted Window Levels for Private Hire and Hackney Carriage licensed vehicles

Before the Committee was a report by the Director for Communities, a copy of which had been circulated to all Councillors, 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 conditions in place regarding tinted windows after deferring its decision on the matter at its meeting on the 4 March 2019. The report set out information requested from the Committee concerning standard window tinting of new vehicles.

The presenting officer told the committee that research had been carried out on new vehicles from main dealers a copy of which was attached to the report. The tint on all vehicles in the annex had been tested with a machine. There was already a condition in the Taxi Licensing Handbook which left the determination of suitability of tint levels to officer discretion. The proposals before the committee set levels which could be determined by a machine and removed any uncertainty for all parties. Existing vehicles would not have to change glazing and that the levels would be used when vehicles were presented for the first time.

Members debated the matter and unanimously approved the recommended conditions. The Committee also heard evidence that issues regarding Executive Cars and Limousines were subject to officer discretion and requested a further report on the matter.

Resolved: that new conditions of licence for Hackney Carriage & Private Hire Vehicles specifying an acceptable Tint Level as detailed at 3.3 of this report be approved.

The meeting ended at 8.15 pm