

LICENSING COMMITTEE

THURSDAY, 5 SEPTEMBER 2019

PRESENT:- Councillors Abdul Amin, Alan Bishop, Malcolm Davies, Steph Exell, Emma Faramarzi, Nick Martin, Brian Mattock, Garry Perkins, Imtiyaz Shaikh, Caryl Sydney-Smith, Vera Tomlinson, Nadine Watts and Peter Watts.

Apologies for absence were received from Councillors John Ballman and Paul Dixon.

18. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. Councillor Abdul Amin made a non prejudicial declaration of interest in respect of Agenda Item No. 4 as he had a number of friends in the Hackney carriage and Private hire trade. Councillor Amin noted that this declaration also applied to the consideration of this item at the previous meeting.

19. Minutes

Resolved – That the minutes of the meeting held on 5th September 2019, be confirmed and signed as a correct record.

20. Public Question Time

Mr Andy Lucas made comments and asked public questions relating to (i) the regulations currently in place for licensing Hackney Carriage Vehicles which were more in line for authorities where only Hackney Carriage Vehicles were licensed, (ii) regulations in other authorities that licensed a range of vehicles for both Hackney Carriage and Private Hire Vehicles, (iii) the rationale for allowing passengers to use the front seat of a Hackney Carriage Vehicle whilst undertaking private jobs but not when used as a hackney carriage, (iv) the cost of buying specialist Hackney Carriage Vehicles and their viability when unable to maximise the vehicle capacity, (v) there was not deemed to be a safety issue when passengers used the front seat of saloon cars, (vi) the need to offer passengers a choice of where they wished to sit, and (vii) the simplification of the administration process and enforcement if all vehicles were permitted to use their plated capacity. The Council's Licensing Manager responded, on behalf of the Chair, at the meeting.

Mr Raham made comments and asked public questions relating to the cost of dedicated Hackney Carriage Vehicles and the need to maximise their use. The Council's Licensing Manager responded, on behalf of the Chair, at the meeting.

Mr Ronald Scottford the reason for plating specialist Hackney Carriage Vehicle for a given number and then subsequently reducing this especially given that Saloon Vehicles could be plated for eight passengers. Given this scenario how were saloon cars deemed to be safer? The Council's Licensing Manager responded, on behalf of the Chair, at the meeting.

Mr Keith Radway made comments and asked public questions relating to (i) permits previously issued by Swindon Borough Council permitting all seats to be used within

a specialist Hackney Carriage Vehicle when used for private hire work and that this system had operated well for 22 years, (ii) the effect of the current restrictions on the ability of Hackney Carriage Operators to undertake multi-year contracts they had entered into under the permit system and custom and practice over the previous 22 years, (iii) why the Council could not bring the licensing conditions in line with Wiltshire and permit all vehicle seats to be used by passengers. The Council's Licensing Manager responded, on behalf of the Chair, at the meeting.

21. Consideration to introduce conditions to allow the seating capacity of wheelchair accessible Hackney Carriages to include the use of front seats

The Committee considered (a) a report of the Council's Licensing Manager setting out a request from the Hackney Carriage trade to enable the use of seats of a Hackney Carriage Vehicle located in front of the partition for hackney carriage work which was currently prohibited, (b) legal advice in respect of the licensing of seats of a Hackney Carriage Vehicle located in front of the participation for hackney carriage work and current custom and practice in respect of this issue, (c) the option available to the Committee as set out in paragraph 4.1 to 4.4 of the report, (d) the comments of Messrs Lucas, Scotford, Radford and Raham outlined during Public Question Time, (e) the answers provided by the Council's Licensing Manager to Public Questions received from Messrs Lucas, Scotford, Radford and Raham, (f) answers to questions from the Council's Licensing Manager and comments of Councillors Abdul Amin, Stephanie Exell, Emma Faramarzi, Brian Mattock, Garry Perkins, Vera Tomlinson, Nadine Watts and Peter Watts.

Resolved - That where there is a partition in a Hackney Carriage Vehicle approval be given to permit, on the grant or renewal of a licence, the maximum passenger capacity for a Hackney Carriage Vehicle to be for the total number of seats in the vehicle, including the front seats so that all seats are available for all journeys whether pre-booked or not.