

BRIGHTON & HOVE CITY COUNCIL
LICENSING COMMITTEE (NON LICENSING ACT 2003 FUNCTIONS)

1.00PM 3 MARCH 2023

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors John (Chair), Davis (Deputy Chair), Henry (Opposition Spokesperson), Simson (Group Spokesperson), Ebel, Fowler, Heley, Knight, Lewry, Moonan, O'Quinn, Phillips, Pissaridou, Rainey and C Theobald

PART ONE

21 PROCEDURAL BUSINESS

(a) Declarations of Substitutes

1.1 There were none.

(b) Declarations of Interest

1.2 There were no declarations of interests in matters listed on the agenda.

(c) Exclusion of Press and Public

1.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any of the items listed on the agenda.

1.4 **RESOLVED:** That the press and public not be excluded from the meeting.

22 MINUTES OF THE PREVIOUS MEETING

RESOLVED – That the minutes of the Licensing Committee (Licensing Act 2003 Functions) Meeting held on 13 October 2022 be agreed and signed as a correct record.

23 CHAIR'S COMMUNICATIONS

The Chair gave the following communications:

There are a number of taxi licensing appeals processing through the Magistrates court at the moment, one of which was successfully defended in December last year (2022). The Court upheld a decision by the Council to revoke the licence of a taxi driver who regularly carried a drug dealer in his vehicle. The Judge dismissed the driver's appeal stating that the driver had not satisfied the fit and proper test, and they found that the conclusions of the Council that they were knowingly transporting a drug dealer were

overwhelming. Our taxi and private hire drivers hold a unique position of trust in our community, and the majority of drivers are absolutely brilliant and take the responsibility incredibly seriously. This case was an exception not the rule and really highlights that we won't hesitate to take very serious action where a taxi driver falls short of our Licensing standards. Safeguarding the public is our priority, and we're extremely proud of our high licensing standards in Brighton and Hove. This was a really serious case, and we're pleased that the judge has upheld our decision and dismissed the appeal.

The community safety partnership has agreed to use some of the safer street's funding to extend the Taxi Marshals. It has been agreed to suspend the service during quieter months such as January – March so that we can make sure to provide the service in summer and early autumn. We will continue to monitor issues at the rank during that period via the night Marshals team and will consider a partnership with the Police as to whether there are potentially busy weekends during this period.

The taxi licensing team coordinated another successful multi agency operation in December with the police, the DVLA, neighbouring authorities, and Councillor Dee Simson, the details of which are set out in the taxi enforcement committee report.

24 CALLOVER

Item 27 (Hackney Carriage Private Hire Driver Enforcement and Monitoring) was called.

25 PUBLIC INVOLVEMENT

There were none.

26 MEMBER INVOLVEMENT

There were none.

27 HACKNEY CARRIAGE PRIVATE HIRE DRIVER ENFORCEMENT AND MONITORING

27.1 The Regulatory Services Manager (Jim Whitelegg) introduced the report starting on page 15 of the agenda.

27.2 Councillor Simson raised the following points:

- Whilst it is sad to see a growing list of drivers with enforcement taken against them, it's good to hear that the Council are taking things seriously and taking cases to court where necessary.
- It was surprisingly to see how many drivers had illegal tyres during the meeting with the Police and DVLA.

27.3 Councillor Henry was informed that multi agency meetings with the DVLA, Police, and Neighbouring authorities go ahead usually every 4 months, but the Taxi team at the Council go out twice a week to carry out enforcement duties, and that specific issues can be looked at such as out-of-town taxis and tyre safety.

27.4 Councillor Pissaridou was informed that drivers of taxis and heavy goods vehicles need to be at a higher standard of health than car drivers, taking into account eye health, heart health, and other conditions. An independent medical advisor makes recommendations on the Group 2 standards.

27.5 Councillor Theobald was informed that point 6 on page 19 of the agenda referred to two taxi drivers who had an altercation, but there was no evidence, so the legal advice was to suspend their licences for 21 days.

RESOLVED:

1. That Members noted the contents of this report and that officers should continue to act as appropriate.

28 ITEMS REFERRED FOR COUNCIL

There was none.

The meeting concluded at 15:16pm.

Signed Chair

Dated this _____ day of _____